



3 1761 11711103 9



Digitized by the Internet Archive
in 2023 with funding from
University of Toronto

<https://archive.org/details/31761117111039>



Hansard

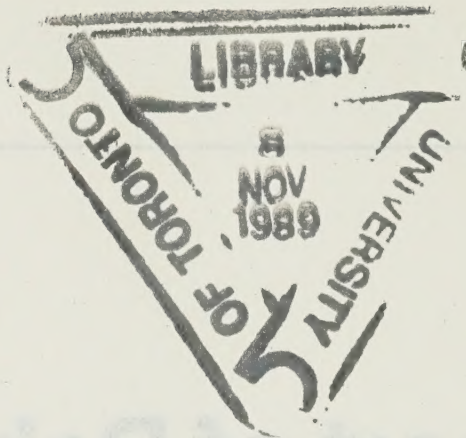
Official Report of Debates

Legislative Assembly of Ontario

First Session, 34th Parliament
Thursday, June 16, 1988



Speaker: Honourable Hugh A. Edighoffer
Clerk of the House: Claude L. DesRosiers



CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$16.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday, June 16, 1988

The House met at 10 a.m.

Prayers.

ORDERS OF THE DAY

PRIVATE MEMBERS' PUBLIC BUSINESS

DEAF PERSONS' RIGHTS ACT

Mrs. Stoner moved second reading of Bill 143, An Act to provide for Certain Rights for Deaf Persons.

The Deputy Speaker: The member has up to 20 minutes to make her presentation, of which she may reserve any portion of it for the windup.

Mrs. Stoner: It is with great pleasure that I rise today to speak on private members' Bill 143. This legislation would prevent discrimination against deaf people accompanied by hearing-ear dogs. I first became aware of hearing-ear dogs and the valuable role they play in the lives of many deaf people when I met Jill Johnson of Ajax. Jill has a hearing-ear dog, Toby.

Members may recall that I introduced Jill and Toby to the Legislature in February, along with Jackie Harbour of the Hearing Ear Dogs of Canada and Corky, another hearing-ear dog, who almost jumped down into the Legislature. It was through my association with Jill that I found out about Hearing Ear Dogs of Canada and their need for legislation to be enacted to guarantee access for hearing-ear dogs. I decided that perhaps I could do something about this. I am asking members today to support this private members' bill.

This legislation will give deaf people with hearing-ear dogs the same rights of access as those that are now enjoyed by blind people under the Blind Persons' Rights Act. My bill is patterned after that act. The purpose of Bill 143 is to ensure that deaf people are not discriminated against because they are accompanied by hearing-ear dogs. These dogs are guide dogs and should be treated the same as seeing-eye dogs.

If this bill is passed, it will be against the law to deny any person accommodation, services or facilities available in any public place because he or she is a deaf person accompanied by a guide dog. In addition, no one would be able to deny a

deaf person with a hearing-ear dog occupancy of any self-contained dwelling unit.

Under the legislation, the Attorney General or a designated officer can, upon request, issue to a deaf person an identification card. This card would identify a deaf person and his guide dog. The card would be proof that the deaf person and his dog are qualified for the purposes of the legislation.

The bill also contains a clause that the Lieutenant Governor in Council may make regulations prescribing the qualifications for guide dogs. I would anticipate that those would be along the same lines as the Blind Persons' Rights Act, which recognizes dogs that are trained at particular facilities as seeing-eye dogs. Contravention of this act would carry a fine of \$1,000.

In approving this bill, the Legislature can break new ground in Canada and set a trend for recognizing the rights of deaf people in this country. There is currently no province in Canada which protects the rights of deaf people to be accompanied by guide dogs. This is the case, even though there are at least three training programs for hearing-ear dogs: Hearing Ear Dogs of Canada, Service Dogs of Canada and the Western Canada Handi and Hearing Ear Dog Society.

I have received a letter from the administrative assistant of Hearing Dogs of Canada, Frances Jewell, in support of this bill. Frances writes, "On behalf of Hearing Ear Dogs of Canada, I would like to thank you for your efforts to have a private members' bill passed to ensure access to public places for hearing-ear dogs and their owners." Further in her letter, she states: "Hearing Ear Dogs of Canada understands that accessibility in the community is a major concern of disabled Canadians. We hope that, through a private members' bill, hearing-ear dogs will be given recognition and full access, thus creating a more secure and independent lifestyle for some of the 2.5 million hearing-impaired Canadians."

I thank Hearing Ear Dogs of Canada for its support and its words of encouragement. I know from my conversations with Jill that having Toby has enhanced her already active life and he has been of great assistance to her.

In a letter to a local newspaper last December, Jill wrote about how much Toby has helped her. She wrote that Toby is very valuable in providing independence, not just for her but for her family and her friends as well. Before getting Toby, Jill had to rely on other people to alert her to sounds, and if there was no one around, the sounds went undetected. But now Toby alerts her to various sounds so that she can live more independently.

As I have mentioned, none of the provinces in Canada has legislation which recognizes the rights of deaf people to be accompanied by their dogs. In contrast to that situation, those rights are almost universal in the United States. There are currently 48 states with some form of hearing-ear dog legislation. The two states which have not passed such laws are Alaska and Hawaii.

I would like to discuss briefly the existing laws in the states of New York, Michigan, California, Pennsylvania and Illinois. In New York, the rights of hearing-impaired people to be accompanied by a hearing-ear dog became part of the laws of that state in 1979.

The civil rights aspect of the New York law provides that deaf people shall not be denied admittance to and/or the equal use and enjoyment of any public facility solely because they are accompanied by a guide dog. "Public facility" is defined broadly to include public and private transportation, public and private housing, food service, educational facilities and theatres. Under that law, deaf people with hearing-ear dogs cannot be discriminated against in employment and various other matters.

In Michigan, the laws were amended in 1980 to provide that no one shall refuse admittance to a deaf person to various public and private facilities if that person is accompanied by a hearing-ear dog. The law had previously been applied to blind people with their guide dogs.

In California, the law respecting hearing-ear dogs came into effect in 1979. It was an amendment to the civil code. The law provides that a deaf person or persons whose hearing is impaired shall have the right to be accompanied by a guide dog, signal dog or service dog. Under this law, however, denial of rental accommodation to physically disabled persons with dogs is permitted where other tenants are also denied dogs.

In 1982, Pennsylvania's human relations legislation was amended to protect deaf people accompanied by guide dogs against discrimination in employment, housing and public accommodation.

1010

The state of Illinois extended human rights protection to hearing-impaired people with guide dogs in 1982. The following year, this protection was further extended to physically handicapped people with support dogs. The Illinois law protects the rights of blind, deaf or physically disabled people accompanied by guide hearing or support dogs to use and have access to public facilities, transportation and accommodation. Illinois law also makes it an offence to refuse to sell or rent property to a person because he or she has a guide hearing or support dog.

The examples of American law which I have outlined are very similar to the one I am proposing for this province. I cannot emphasize enough the importance of the work being done by Hearing Ear Dogs of Canada in training dogs to alert hearing-impaired people to sounds such as a baby crying, an alarm clock, a smoke detector, a malfunctioning car; and a telephone, which deaf people can now use with the TTY printing and Bell Canada relay systems. As hearing people we take all these sounds for granted, but that is not the case for a deaf person.

To date, Hearing Ear Dogs of Canada, which is based near Ancaster, has placed 41 dogs throughout Canada, with the majority going to hearing-impaired people in Ontario. The organization has 16 people on its waiting list and nine dogs that are currently being trained. Hearing Ear Dogs of Canada is a nonprofit, charitable organization which has been training dogs to assist the deaf since 1979. It costs about \$3,000 to train a hearing-ear dog. All of the dogs are donated to the program. Not just any dog is cut out to be a hearing-ear dog. The dog has to meet a number of requirements, including having a friendly and outgoing personality, being of small to medium size and being healthy. The dog must also be under one year old.

The dogs are donated to the program and many of them come from the humane societies. Training begins with basic obedience and all commands are taught in both sign language and verbally. Each of the hearing-ear dogs is trained to match the specific lifestyle of the deaf person with whom the dog will be placed. For example, if a deaf person is a woman with a young baby, the dog is trained to alert its mistress to the sound of that baby crying; or if a hearing-impaired person lives in an apartment, the dog is trained to respond to the apartment intercom.

When a young dog begins training, it is placed in a foster home for several months. This way, the dog can learn how to interact in a family

situation. Once the dog is ready for placement, the trainer accompanies him or her to the new home. During this placement period, which lasts about a week, the trainer helps to get the dog acquainted with this new home. It also gives the dog and the owner a chance to learn to work together and get to know each other. According to Hearing Ear Dogs of Canada, it is very important that the personalities of the dog and its new owner complement each other.

It is interesting to note that the deaf person does not have to pay for the hearing-ear dog. As a nonprofit organization, Hearing Ear Dogs of Canada relies on donations to support its program. Hearing-ear dogs can be identified by their special orange collar and orange lead. Deafness is often referred to as the invisible handicap. You cannot see hearing impairment, but you can see that orange collar and orange lead. It is hoped that soon that signal will be as readily recognized as is the harness on a seeing-eye dog.

The hearing-ear dogs' program has the support of such agencies and organizations as Lions clubs, the Canadian Hearing Society and the Oshawa Deaf Centre. I know of a number of companies in the transportation sector which also recognize the importance of these guide dogs. For example, on Via Rail passenger trains, seeing-eye and hearing-ear dogs are the only pets allowed in the passenger cars. Greyhound Bus Lines allows seeing-eye and hearing-ear dogs on its buses. On GO Transit trains and buses, blind and deaf people can be accompanied by their guide dogs.

The deaf are probably the most socially isolated of all of our handicapped groups in Canada. Hearing-ear dogs have opened up a whole new world for many deaf people. I feel this legislation is the logical step in recognizing these dogs and their tremendous importance. No deaf person should be denied access to any public place or accommodation because he is accompanied by a hearing-ear dog. I want to make sure there is absolutely no question about rights of access for deaf people with their dogs. It is absolutely essential, in my view, that these rights should be recognized in legislation.

At no time should a hearing-impaired person be discriminated against because he is accompanied by his dog. I want to make sure that deaf people with hearing-ear dogs have unrestricted access to public transportation, that they can get accommodation even though they have a dog, go out for a meal in a restaurant accompanied by his

dog and have no fear of being turned away from any door.

These dogs are not pets. They are working dogs. They are an extension of the deaf person himself. That person relies on that dog. I urge all members to support this bill. Thank you for the opportunity to speak on it, Mr. Speaker.

The Deputy Speaker: Do other members wish to participate? Le député de Scarborough Ouest.

Mr. R. F. Johnston: Merci, monsieur le Président. Yes, I would like to participate and support this piece of legislation and make a few comments on it if I might.

It is interesting that in this session and this spring we have had two pieces of private members' business, my resolution on education for the deaf and now this member's action in terms of certain rights of the deaf in terms of hearing-ear dogs.

I think this symbolizes a major change which has taken place recently with the deaf community. It has been a very invisible community, as the member has said, for decades, in part because of the nature of the public policy which had been prevalent towards the deaf, some of which I think was quite restrictive. Recent events in the United States, culminating in the takeover of Gallaudet University by the deaf students and then the assertion that they wanted their own deaf president and board and control, a deaf board of governors, has changed an awful lot of things. This community in Ontario, finally, is speaking up in a way which is forcing legislators to listen.

What I would like to say about this legislation is that it is so self-evidently a good piece of legislation and should so self-evidently be part of existing laws in this province that I would expect there to be unanimity in the House in terms of support for it. It is amazing to think that we have not done this up to this point, whereas, as the member has said, all but a couple of states in the US have actually enacted this kind of legislation.

I hope the government will not allow this piece of legislation to remain in the kind of no man's land, if I can put it that way, that a lot of private members' legislation ends up in, but instead will indicate that it wishes to adopt this itself and to bring it forward as government legislation as quickly as possible. I am sure it could be passed through this House in no time at all.

Barring that taking place, I hope this legislation will be sent out to a committee after we approve it, as I am sure we will this morning, and that the committee can hold some brief hearings on the matter and bring it back to the government

for it to bring forward for third reading. It would be a lovely precedent to have a private member's bill come before the House in that private member's name for third reading and passage and then even possibly proclamation. It would be almost an unheard of event in the way things work here, and it might be a very nice gesture if we can do it speedily. Government legislation could clearly be brought in even more quickly if that were seen to be the road that should be taken.

It is possibly true that the Human Rights Code at the moment would guarantee to a deaf person the right to use a hearing-ear dog and to have rights to access to accommodation and to not be denied work on the basis of that and possibly to have access to other kinds of private buildings. However, it is not sufficiently clear, in my view, that this would necessarily be the case. The deaf person would have to be able to show that in fact that was a limitation on his access. An onus is now placed on that deaf person that is not placed on a blind person in the province. As the member for Durham West (Mrs. Stoner) said, it is the kind of thing that we have taken for granted as a specific right for the blind for many years.

1020

It is also important to understand that there are people out there who are still not as sensitive to the rights of disabled people as are, I presume, all members of this House. On a regular basis, we see people driving into parking spots that are set aside for the disabled and using those spots. I have in my own riding a government-run building where the superintendent continually uses one of only a couple of disabled parking spots that are available, even though he himself is not disabled.

There is now an awful lot of talk about increasing the fines for that and making it a much more serious offence, because we have to get the message through to people that these kinds of rules are put in to provide access and they are crucial to the participation of disabled people. So I think it is only right that we have this piece of legislation which specifically says that access to accommodation and private and public services in Ontario should not be denied anybody just because he happens to have a dog to assist him to operate as fully as possible within our society.

I think it is a very positive thing that has been done. I think the kinds of fines that are involved are probably sufficient at this stage, but it might be a matter of some discussion by the ministry as to whether or not the fines for the exclusion of both the blind and the deaf may be increased at this stage, because they have not been changed,

in terms of the blind, for a number of years now. That would be a very small matter and an administrative concern that could be dealt with.

The change that this has meant for a lot of people is very profound. I just ask members to think about some of the things that these dogs are able to do for people. If there is a fire in a high-rise building and a hearing-impaired person is living high up in that building, which is often quite possible because the hearing-impaired are not, as are wheelchair-bound people, often given any kind of preference in terms of ground-floor accommodation, that person does not necessarily hear the alarm. Deaf people can therefore be the last to come out of their rooms and are at greater jeopardy than others.

The dog is a great warning device for those people just in terms of the security of their lives. In terms of the practical applications on a day-to-day basis and letting people know that somebody is at the door or that the phone is ringing or that other kinds of sounds that we would all be alert to are taking place, again, the dog can provide that person with an ability to operate which more closely approximates that of a hearing person than he would otherwise have.

It is my hope that the government will see this as the ground-breaking legislation it is, filling a gap, which in my view is exactly what private members' legislation should do. It should be for a private member to point out something which is presently missing in our government legislation packages or which is wanting a direction for movement, as I was trying to do on the deaf education matter.

Appropriately, the member has found that spot, something which, surprisingly in 1988, is not handled. She said: "This is the very simple way of doing it. Here's your model of legislation. It fits very much what's been done in the United States. It would be a model for the rest of Canada, because nobody is doing it as yet."

Hopefully, the government will assume its responsibility quickly and will take on this bill, as I said. If not, then it should be referred out, probably to the standing committee on administration of justice, I think, because of the responsibilities of the Attorney General (Mr. Scott) here. The standing committee on social development would be delighted to deal with this kind of bill as well. I see the chairman nodding his head, saying we would welcome that. Then we could deal with it in as quick a fashion as possible, get it back to the House and allow the government to break new ground itself and let a private member actually see her own work

proclaimed in law, which would be a wonderful thing to see.

It is my pleasure on behalf of our party to say that I doubt that there will be a member in the House who will rise to vote against this bill. We should therefore recognize the will of this Legislature as quickly as possible and fill this gap. I thank the member for moving it.

Mrs. Cunningham: I would like to comment on Bill 143, An Act to provide for Certain Rights for Deaf Persons, and to congratulate the member for Durham West on her insight and her determination in presenting this bill to the House today.

Unlike most of us, many people across this province suffer from blindness and deafness, disabilities which make even the simplest daily activities such as crossing the street, answering the telephone or waking up in time for work a great personal challenge. These are the real challenges for our special citizens that we often take for granted.

Most of us are familiar with the seeing-eye dog or guide dog used by many blind people to assist them in everyday challenges such as crossing the street. What is not all that familiar to us is the use of dogs to assist the deaf, a group of people who are somewhat socially isolated and who need and deserve accessibility rights across this province.

Deaf people use hearing-ear dogs for many of the same things that blind people use dogs for. Dogs alert the deaf to various warning sounds such as smoke detectors, alarm clocks, telephones and children who are crying. A deaf person is able to obtain a dog through the Hearing Ear Dogs of Canada or other related organizations. Each dog is trained for the individual person based on individual needs.

Parents of small children could train their dog to alert them to the sound of a child's crying. Since many deaf people are dependent on these dogs, the dogs must accompany them in public places such as washrooms, buses and planes. This causes some problems for both blind and deaf persons when other members of society question their rights or are unaware of their rights as legislated.

At present, blind people with seeing-eye dogs have legal protection from discrimination under the Blind Persons' Rights Act. However, this has not eliminated instances of discrimination against blind people with seeing-eye dogs who have entered public places with their dogs.

After looking into this matter and speaking with staff of the London Centre of the Deaf, we were made aware of some cases, especially one

in Metropolitan Toronto, where a blind person accompanied by a dog was denied access to a taxicab. Although the case was resolved and the taxi driver was charged with violating the act, this demonstrates the lack of awareness of many people in the province as to the rights of the blind in Ontario. In fact, we understand that some blind people carry the legislation with them personally in the event that they will not be allowed into a public place with their dog.

Thus, it is evident that deaf persons in this province are indeed in a very vulnerable position at present. If blind people who are protected by law find it necessary to carry the legislation with them, how then do deaf persons with a hearing-ear dog protect themselves against discrimination when there is no legal protection?

Bill 143 seeks to give the same legal protection to another equally disadvantaged group of people in this province, the deaf. For this reason I support this bill and offer my sincere congratulations to the member from Durham West for bringing this to our attention.

Mr. Fleet: I am pleased to speak in favour of this bill and I congratulate the member for Durham West on her initiative in this area. A hearing-ear dog may seem strange to most people. An initial reaction might well be, "Why would a deaf person need that?" I think that such a reaction typifies what we so often take for granted, which is our health and in particular our reliance on our hearing.

Our sophisticated means of communication in this society are very frequently sound-oriented. We use the telephone repeatedly each day, without ever stopping to contemplate, "If I could not use the phone or hear someone else calling me, how would I convey my message or hear the latest news?" As for hearing the commercial news, naturally, radio is nonexistent and even television is extremely restricted. As members think about how they would cope without sound, they should consider also what that deprivation really means. The result is isolation and literally a different environment in which to learn the nature of our world.

1030

I do not profess to have expertise about the subject of deafness, but as a lawyer practising in Metropolitan Toronto and region, I certainly had an opportunity to act for a fairly large number of deaf clients and I learned some of the hurdles that they experience and some of the culture of the deaf world. Many of my deaf clients were surprisingly poor readers, which made it increas-

ingly difficult to communicate with them. That may partly be the fault of our educational system.

What may not seem obvious is that to simply function in everyday life, a deaf person essentially has to be bilingual. He or she must learn sign language and commonly lipreading, and also a completely separate language of the written word. They are not the same, and it represents an additional challenge or hurdle for deaf people.

Sign language, as I experienced dealing with it, has a methodology and nuances that are all its own. In fact, I was surprised when I learned that there are several different sign languages, which tends to complicate life even more for deaf people if they were hoping to travel to other countries.

Speaking to a deaf person, even with the help of a sign language interpreter, is not the same as simultaneous translation with other languages. To communicate effectively, I found it was best to use simple sentences and precise words and to break down my own speech pattern to express only one concept at a time and to do that in a logical sequence. It is rather tricky, I found, and I had to concentrate particularly carefully to make sure that I was communicating well, and supposedly I was the person without the disability. Think how much harder it has to be for deaf people to cope with.

Sign language is a different way of communicating, only slightly different but enough to be significant, and it affects the way, I think, deaf people perceive the world, particularly people who have been deaf from birth. In many families where there is only one deaf person, there is only one other member of the family who learns sign language. I cannot really explain that logically. It is just something that seems to happen quite commonly and, unintentionally and unconsciously, the hearing members of the family tend to rely on one person to communicate directly to the deaf person. The deaf person, as a result, is placed at a double disadvantage.

The first aspect is that he or she is in a position of dependency with that one link to the rest of the family. The second aspect is that there is a relative deprivation from at least some of the ordinary experiences of family life, the interaction with other family members. Thus, the way in which deafness can shape and isolate an individual can be quite subtle. The cumulative effect of the physical disability and an insensitive society can be devastating.

In terms of my experience as a lawyer, I was also rather shocked to learn that, historically in the courts deaf people, particularly those who are

deaf and dumb, were categorized as being insane. That was the kind of orientation that we had, amazingly not so long ago. Even now, the assistance that is provided in courts for sign language interpreters is largely dependent on volunteers or people who are paid but, frankly, not overly well paid.

I particularly would like to take this opportunity to praise the efforts of the volunteers and the staff at the Bob Rumball Centre for the Deaf in Scarborough and of the Canadian Hearing Society. Certainly, the courts could not operate properly without them. We have come some distance at least, because now the Charter of Rights contains an express provision ensuring a right of deaf people to have a sign language interpreter in court. It surely behooves all of us to make an extra effort to break down the walls of isolation that deafness can create and that we can exacerbate if we do not pay attention.

Some of the education, I submit, must be directly to the families of deaf persons so that they too can cope better and understand better. We need to focus more of our ingenuity and our material resources on helping deaf people directly. There are marvellous advances being made now: TTY machines which adapt telephones for the deaf. They are very easy to learn. Even somebody like myself who does not have any particular keyboard skills can operate a machine quite easily and quite effectively to communicate and to break down that isolation.

Now we have a wonderful development with the hearing-ear dog program to accomplish the many objectives that the member for Durham West and other members have referred to. I think, quite clearly, deaf people do not need to be dependants in our society. They do need an investment, as we all do, in order to function and to produce at maximum capacity.

This bill is one small, but particularly meaningful, contribution to help people to help themselves, and I think it helps all of us in the long run. In addition to urging all members of this House to support this bill, I agree with comments made earlier that it is appropriate for this government to adopt the bill so that it will receive third reading and pass into law.

I am pleased to note also that the Minister without Portfolio responsible for disabled persons (Mr. Mancini) is here today. Whether it is his responsibility or the Attorney General's I am not sure, but I certainly trust the minister present today will give consideration to this matter.

Once again, I urge everyone here to support this bill and I would like to close by noting that,

on this issue, we have no excuses that we are deaf to the needs of people in our society.

Mr. Hampton: I want to indicate immediately my support for this bill and the support of the other members of my party and my colleagues here with me today.

We should never underestimate the difficulties that disabled people have to overcome in our society. The fact that we are too often generally unaware of the nature and the extent of the difficulties, I think, indicates the first problem. We just generally are not aware; I think this is particularly the case and the member has indicated this in terms of her bill. There are many obstacles which deaf people have to overcome and this is one very important, though, as has been indicated, only one initial way that we can recognize the difficulty and attempt to do something about it.

As someone who was formerly a teacher in the elementary schools here in Toronto and also in the northwestern part of the province, I have encountered, to a certain extent, the difficulties which many young deaf people have to overcome. They are difficulties not just of a physical kind, but difficulties in terms of social development and educational development and, finally, difficulties in terms of finding an occupation and becoming a self-supporting and a self-actualizing member of society. I say again that we should not underestimate those difficulties.

Our education system has come a long way in terms of dealing with some of these problems; but again, we as a society, must progress in terms of recognizing the difficulty that has to be overcome every day, the difficulty that has to be overcome in doing what many of us would regard as the most menial tasks or the most everyday activities. The difficulties that deaf people encounter in attempting many of these things are quite formidable and I and my colleagues recognize that the resolution which the member for Durham West has placed before the House today would go a very long way toward assisting deaf people in dealing with one of the problems which many of us are not even aware of, or have not taken the time to even think about.

We commend the member for bringing this bill before the House. I commend her and it is my intention to support this bill. I say again, this is one that is worthy of the government's consideration. Hopefully, the government will provide the assistance that is necessary to ensure that this bill becomes law in the province of Ontario.

Mr. Pollock: I want to join my colleague the member for London North (Mrs. Cunningham) and all other members in this House in paying tribute to the member for Durham West on her private member's bill and assure her that I will be supporting it. I think the bill is straightforward and self-explanatory and I wish her every success in getting a third reading and royal assent.

I have to admit that when I first heard of this private member's bill, I did not realize that there was such a thing as a hearing-ear dog. The first thought that came to my mind is the fact that they would have these dogs for protection. However, in checking into it I realized that these dogs are not only there for protection, they can also warn a person about the phone ringing, the doorbell ringing, the tea kettle boiling and various other things. I think the legislation is needed and once again, as I say, I support the member for Durham West for bringing it forward.

I think we also owe a debt of congratulations to those service clubs that donate their money for the training and the placement of these dogs, and to the Hearing Ear Dogs of Canada organization which undertakes the training of these particular dogs.

I was impressed with the comments from the member for Scarborough West (Mr. R. F. Johnston) when he said that there were two pieces of legislation that have already come before this House this season. I might point out—and I was pleased to be able to make a statement in this House in regards to it—that I received a letter from a young lady who goes to Sir James Whitney School in Belleville. Her name is Jenny and she wrote the letter to request assistance to buy a TDD phone. That is a telecommunication device for the deaf. These phones run somewhere between \$250 and \$550. Apparently there is a program out there where, if you needed a hearing aid, you would get 75 per cent of the cost of that hearing aid paid for by the government.

Naturally, I was in support of her letter. I not only answered her letter, but also I thought maybe I could call her and talk to her on one of these special telephone device systems. Needless to say, I could not call her at her home, so I had to go through Sir James Whitney School. At one time Bell Telephone only had 20 of these special operators for the deaf. Now, because of the demand, they have up to 100 of these special operators. Anyway, I called the special Zenith line and the operator made contact with Jenny in Sir James Whitney School. I have to admit conversation is pretty slow through that proce-

ture, but at least you can make contact with a person like that.

It was a real experience for me. As I say, I am in full support of this particular legislation and just hope that it gets speedy passage in this House.

I might mention too, to the member for Durham West, that I had a private member's bill here once. It was to make the blue jay the provincial bird for Ontario. But as the member knows, and as some other members here know, the blue jay did not fly.

Mr. Wildman: It flew yesterday.

Mr. Pollock: Did it?

Mr. Wildman: It got to score yesterday.

Mr. Pollock: I see.

Anyway, I am sure this particular piece of legislation is far more important. I would still like to see the blue jay as the provincial bird for Ontario, but as I say, I wish the member every success with this particular piece of legislation.

Mr. Matrundola: I would like to address my congratulations to the member for Durham West on Bill 143. Here, I believe, is a very good idea. I think it is something that is very important for deaf people.

Deaf people, like blind people, do need the protection of hearing-ear dogs because many times a person who is hard of hearing could be next to danger and the dog can certainly save the person's life. This can apply to young people as well as senior citizens.

I think this is a beautiful idea. It is something that was long needed, and I certainly hope this bill is going to get a speedy passage and royal assent in the very near future because the lives of many people do depend on the help of well-trained dogs in this matter.

Having said so, once again I wish to congratulate the member and I hope the bill will get speedy passage in this House.

The Deputy Speaker: Do other members wish to participate? If not, will the member for Durham West wish to wind down?

Mrs. Stoner: Thank you, Mr. Speaker. I would indeed like to do that.

The first thing I would like to do is to thank my colleagues in the House for their support. I very deeply appreciate it.

The point the member for Scarborough West made about the possibilities that this private member's bill could actually become law is something that I certainly hope is a prediction and will happen.

The point he made about sending it to committee, perhaps to review such questions as the increase of the fine from \$1,000, is something I would support. I would in fact ask that this bill be referred to the standing committee on social development for review.

I would like to thank the member for London North for her kind comments, particularly her awareness of the needs of the blind people and also the need to promote that in recognizing the needs of the deaf. In saying that, when she refers to the fact that the blind need sometimes to provide written proof of the legislation that they have, think of the deaf person who cannot explain verbally his situation. It is much more difficult for them to deal with the world in social interaction sometimes than it is for the blind.

The member for High Park-Swansea (Mr. Fleet) was very sensitive. His comments on and awareness of the world of the deaf, and particularly those who are deaf from birth, are very much appreciated. Their need to know several sign languages, to be able to read lips and to work through and evolve understanding of written languages is very difficult to achieve. His knowledge—such as the fact that, historically, the deaf around the world have been categorized as insane in many cases, and in the most recent history treated as retarded, which in fact they were not—and sensitivity are much appreciated.

The member for Rainy River (Mr. Hampton) is absolutely correct that we should never underestimate the obstacles in the paths of the disabled in our community, and his points on education and social interaction are particularly well taken.

The member for Hastings-Peterborough (Mr. Pollock) was right about the fact that these dogs are not well understood and his appreciation for the fact that they are much more than simply protection. I second his statement of an appreciation of gratitude to those volunteers from the Hearing Ear Dog Society of Canada and from all of those other volunteer organizations which have made this program and other programs for the deaf possible.

1050

The member for Willowdale (Mr. Matrundola), I would also thank for his very kind comments and understanding of the situation that we are dealing with.

It is important that we do not discriminate against the hearing impaired in our society, that there never ever be a situation where the hearing impaired with their guide dogs are denied the right to rent an apartment or live in a certain

place, or are prohibited from entering a restaurant or a theatre or any other facility.

There is no legislation in Canada at this point that will do what this bill does. I would hope that not only would it achieve the actuality of becoming law here in Ontario, but also that perhaps the other provinces would follow suit.

I would hope that the minister would support the bill and that ultimately the House would support it.

I very much appreciate the opportunity to be a member of this Legislature and to bring forward a bill like this. I thank you all, very, very much.

The Deputy Speaker: This concludes the debate.

GUN REPLICA SALE PROHIBITION ACT

Mr. Farnan moved second reading of Bill 145, An Act to prohibit the Sale of Gun Replicas.

Mr. Farnan: I feel that this is an important piece of legislation that I place before the House today. It is a serious and real issue and, as we have tragically discovered, it is a life-and-death issue.

I would like, first of all, to quote from an editorial in the Brantford Expositor on October 28, 1987. It is referring to toy guns.

"Their use can be just as deadly as the real thing, as is now all too evident. When a robber points a gun at a bank teller, a variety store clerk, or in this sad case a police officer, it doesn't matter whether it is a real weapon or a toy, the victim feels equally at risk.

"From the point of view of the person holding the gun, it doesn't matter whether it is a toy or a replica, the intent is the same: to intimidate and frighten his victim.

"Toy or not, the replicas can be used like real guns and should therefore be treated like real guns."

This legislation responds to the tragic incident in Ontario last October, in Brantford, when during the investigation of alleged assault a Brantford man drew what appeared to be a Colt Python .357 Magnum revolver on a police officer after being told he was under arrest. When the man refused to drop the weapon, he was shot in the chest and subsequently died of his injuries. Later, it was discovered that the gun was a toy, a replica, and not the real thing at all.

Robert Monument, a firearms expert at the Centre of Forensic Sciences in Toronto told the inquest into this case that the copy was a lot lighter than the real gun but had the same colour, shape, trigger, and barrel length. He said the fake gun, which was sold with a red plug in its barrel is

indistinguishable from a real gun when the plug is removed.

The coroner's jury, investigating the death, recommended that manufacture and sale of realistic handgun replicas should be banned in this province.

At the time of the inquest, Brantford police department officials said it was important for the province to pursue the recommendation in order to prevent any further tragedies.

Twenty-six days after the shooting, the Attorney General (Mr. Scott) said he would consider the coroner's jury recommendation to ban replica guns.

In another incident that took place in Cambridge, a police officer actually drew a gun when a teenager was wielding an imitation gun in a public amusement area. There was the potential for similarly tragic consequences, but fortunately none occurred. And this incident took place in the last six months. These are just two incidents. Hundreds across North America and Canada have already been documented.

There is growing concern among the public, the police fraternity and municipalities. Initiated by Alderman Woods, a Cambridge alderman, Cambridge city council passed a motion dealing with this issue and in its final form the motion read, "We, Cambridge council, petition the province of Ontario to enact legislation to regulate and/or prohibit the sale of toy guns, which are replicas of real weapons." This resolution was forwarded to municipalities across the province with populations of 50,000 or more.

Support and endorsement of many Ontario municipalities, including the county of Oxford, Brampton city council, city of Guelph, Oakville town council, the county of Lambton, the regional municipality of Haldimand-Norfolk, the city of Etobicoke, the children's services and education committee of Simcoe county and many others endorsed the resolution of the Cambridge council. Those councils that did not actually endorse the resolution forwarded the motion of the Cambridge council to the Association of Municipalities of Ontario for their support.

Police officers and police associations across Canada and North America are naturally concerned about this issue. The deputy chief, Charles Clare of Cambridge, had this to say:

"Imitation weapons sold today as toys are so realistic looking that until you handle them you cannot tell the difference. I fully support this type of legislation. It has been talked about in police circles for some time and certainly we would welcome any type of law, whether it be a bylaw,

through the province or through federal legislation, that would ban the sale of imitation weapons."

According to Joe Ledermann, the president of the Waterloo Police Association:

"In 1988, Ontario police officers will face more than an estimated 100 similar incidents involving imitation firearms or guns of this type. We have run into some problems locally," said Mr. Ledermann. "Little toy guns are just fine," he said, "as long as they look like little toy guns. Manufacturers should make them look like little toy guns by making them in different colours and without all the working parts of a real firearm. When they are exact duplicates of actual firearms or can be mistaken as such, and are readily available to the public, that is when the problem arises."

I would like to remind the members of the House of the stress under which police officers carry out their duties. We cannot afford to be insensitive to this very real danger in which our police officers must function. They are forced by the nature of their job to make life and death decisions. They have to presume that the weapon they are facing is real. They cannot jeopardize their own safety by second-guessing. They cannot go through mental gymnastics as to whether the gun is real or not real. It is not just the victim whose life is at stake or the individual with the toy gun, it is that of the police officer for whom, in the case where a real gun is being used that split second may mean his own death.

1100

Quoting again from the Brantford inquest, one of the police officers had this to say: "I thought I was going to get shot. I was scared to death." There were two officers who went to the scene of the crime. "I was really scared, because I didn't know which gun had gone off first," said the second officer. That is just how real the situation is facing our police forces.

There is a real need to act. The issue has been debated at the municipal level and it is being passed between the provincial and federal jurisdictions. As we pass this issue up and down the ladder, instances occur. We have the police officer representative saying 100 cases in 1988; but that is not to include all those cases where toy guns are used in armed robbery where the individual carrying that gun has not come into face-to-face contact with a police officer, and the fear and intimidation that are caused to the individuals who are in the situation of being threatened by the individual carrying the toy gun.

There has been much discussion as to where this legislation appropriately belongs. My view, and the legal advice that I have received, supports dealing with the issue of toy replica guns in the manner outlined in the bill I have placed before the House.

To initiate and develop controls, I have placed the issue in the realm of the Ministry of Consumer and Commercial Relations. I have placed it in the realm of the sale of replica guns. It is the minister or his or her agent who will determine whether or not a particular gun can be described as a gun replica and also will issue the appropriate certificate which would allow a toy gun to be on sale. The bill will allow toy guns to be continued to be sold as long as, in the judgement of the Minister of Consumer and Commercial Relations, it does not closely resemble or cannot be reasonably mistaken for a firearm. The bill allows for penalties to be imposed on those who would contravene the proposed Gun Replica Sale Prohibition Act.

There is a responsibility on us to deal with this issue, but there is a responsibility on society because it is an issue that all of society must be concerned about. I would like to stress that I believe the responsibility is on those stores which carry this type of gun. The type of gun that was used in the Brantford incident, the Magnum Commando toy gun, was readily available at K mart and Woolco stores in Brantford.

All stores, small and large, have a responsibility, with or without legislation I believe, to withdraw these types of replica guns from the shelves. Parents have a responsibility to think through the type of toys they are purchasing; and I think that responsible action on the part of stores and on the part of parents can go some way towards solving this problem. Certainly if the public did not buy the manufacturers would not produce and the stores would not sell. Unfortunately, the public buys, the manufacturers produce, the stores sell and the consequences are immense.

It comes back to all of us. We are in a position to do something that can reduce the risk of death, that can reduce the risk of severe injury to the person of individuals who might carry this toy gun in the circumstance of a robbery and also that can reduce the risk of death and injury to police officers who may be called out when indeed real guns may actually be in use.

I would ask for the support of members in all parties, on both sides of the House, for this legislation. There may be refinements that we could look at down the road, but I think the

principle is intact. I think it falls suitably under the appropriate ministry and I think the effects of this legislation could be extremely beneficial. It could be a lead for the rest of Canada.

Thank you, Madam Speaker. I will reserve the rest of the time to wind up.

Mr. J. M. Johnson: I would like to start by saying that I strongly support the member for Cambridge (Mr. Farnan) on Bill 145. I feel quite strongly about it because I had a tragic example in my own riding of a police officer who paid the ultimate price because he did not have those couple of seconds.

Bill 145 prohibits the sale of gun replicas, and the key phrase in the explanatory note says, "guns that might reasonably be mistaken for real guns in the commission of a crime." I think that is the whole essence of the bill.

I would also like to make reference to the *Globe and Mail* article of October 27, 1987. This will be repetitious of some of the comments made by the member for Cambridge, but it highlights the incident that I wish to bring to the attention of the House. This article from the *Globe and Mail* pertains to the coroner's jury:

"The coroner's jury recommended that the sale of realistic toy handguns should be prohibited in Ontario.

"The inquest looked into the death of Hubert Corbett...who was shot by Brantford police constable David Sloop on October 3, while he was pointing a realistic imitation of a revolver at the officer."

In the hearing, Constable Sloop is quoted as saying, "I was really scared. I didn't know which gun went off. I was afraid for my life." The point is that he was concerned that he might be shot if he did not make the right decision within a matter of a few seconds.

The *Hamilton Spectator* of May 20 stated: "The Brantford Police Commission appears to have hit a dead end in its efforts to have the manufacture and sale of replica handguns banned.

"The commission has received letters from both the federal and provincial governments saying no action will be taken on the request."

Alderman Max Sherman, chairman of the police commission, is quoted as saying:

"I think it's going to be lost.... Replica guns are a dangerous toy and as a result, people have been killed. It's been proven in Brantford and elsewhere across the United States and Canada.

"Policemen have only a couple of seconds to react when confronted by a person with a gun and

don't have time to assess whether it's real or fake.

"As far as the policeman is concerned, it is a real gun.... Unfortunately, the decision can be very tragic."

It is tragic. It was tragic in the case in Brantford; it was tragic in the case in the small village of Arthur. We empower the police forces in Ontario to protect us from criminal assaults. If we expect their support and protection, then we, in turn, have an obligation to support them to perform their duties in the safest manner possible.

1110

Some people will say, "How can a toy gun endanger a police officer?" Well, I submit the case that it could cost a police officer his life. As testimony in the coroner's jury hearing in Brantford indicated, an individual was shot to death because a police officer feared for his life, and rightly so. Police officers, when confronted with an individual armed with a weapon, have only a few seconds to react. I would like to use the tragic example that occurred a few years ago in my riding. A young police officer investigating a break-in and arson late one night was confronted by an armed man. This individual pointed a shotgun at the officer and, without hesitation, shot the officer at point-blank range. The blast from the shotgun tore the throat out of the police officer and killed him instantly.

That is tragic. Remember police Constable David Sloop saying that he feared for his life? When confronted by an individual with a weapon, how can one determine whether it is a fake or a real weapon? If one guesses wrong, it is all over. Should we place our police officers with the added dilemma of having to make that decision, a split-second decision whether a gun is real or not? If they guess wrong, they could be killed. In the Brantford case the individual with the imitation gun was killed.

If we pass Bill 145, it could be a major step towards resolving this problem. If it does nothing else than demonstrate to our police forces in Ontario that this Legislature is concerned for their safety and is totally committed to supporting their efforts to protect us, then it will be worth while. I would encourage the members to consider this aspect of protection and support to our police forces as a major argument in passing this legislation.

If the Attorney General feels that the legislation is not exactly as required, I would submit that the bill does not have to be called but can form the basis for a piece of legislation of his own

that can achieve the same purpose. Pressure can be exerted on the federal government to follow through if federal legislation is needed.

But by not doing anything, we will not be supporting the police forces that we ask to protect us; we will be failing in our responsibilities. So I urge the members, even if they do not consider that the bill is a perfect piece of drafted legislation, to allow it to be passed. As I mentioned, it does not have to be called, but it can certainly form the basis for something that will achieve the same effects that our colleague the member for Cambridge has promoted.

Mr. Neumann: It is a pleasure to rise to speak to this bill. First of all, I would like to congratulate the member for Cambridge for presenting this topic of discussion before the Legislature. He and I do have something in common. We both represent communities of approximately equal size in the beautiful Grand River Valley. He and I were both elected to the 34th Parliament as new members last September.

This issue formed the topic of the very first question that I asked as a member of this Legislature in the very first question period that I sat in on last November 4. It is the subject of the first private member's bill by the member for Cambridge. We do share these things in common. I would like to congratulate the member in raising this issue for debate today.

I did, as I mentioned, pose a question to the Attorney General last November 4 with respect to this tragedy which had occurred in our community. The coroner's inquest recommended the banning of gun replicas because of the danger they pose through the inability of a police officer to determine quickly whether or not the toy gun being brandished is a real gun.

As previous members have stated, the number of seconds that an officer has to make this judgement is very, very limited. This is a matter which was taken up by the coroner's jury. Also, the banning of such guns has the support of the Brantford Police Commission. I would encourage the members to give favourable consideration to this bill.

I would like to point out that, following the question in the House, I wrote a letter to the Attorney General and another letter to the Solicitor General (Mrs. Smith) urging action with respect to this matter. I remind the House that the initial response I got from the Attorney General was that he believed, in his considered opinion, the matter should be dealt with at the federal level. Indeed, the Attorney General has brought this to the attention of Mr. Hnatyshyn. It

was reviewed by the ministers from across Canada, the provincial ministers, and other provinces have also pressured the federal government to take action on this matter. There is some question of the constitutionality of action in this regard. However, the issue is a pressing one and should be dealt with. I would also point out that the federal government has initiated a review of this particular issue on the request of Ontario and several of the other provinces that share this concern.

I would like to read parts of a letter which was sent by the Solicitor General of Ontario to the Honourable Harvie Andre, Minister of Consumer and Corporate Affairs, in which she recommends that action be taken on this matter under the Hazardous Products Act.

Before I read the quote from the letter, I would point out that there is some precedent for dealing with this at the federal level under the Hazardous Products Act. Indeed, in the Brantford Expositor story of October 30, the reporter who investigated this indicated that there was an issue raised regarding replica bombs that looked so realistic that the bomb squads were sent in and they were not at all amused to find that these toy bombs looked exactly like real bombs and caused quite a concern, with evacuations of buildings and so on, when they were left in the wrong place. The federal government felt so concerned about this particular issue that, and I quote from the story:

"The toy bombs presented product safety officials with a special case, one which metro police argued needed the immediate attention of the Ministry of Consumer and Corporate Affairs. Officials found the arguments persuasive. Following a study of the toy, they rushed through legislation in about a month in order to add the toy bomb to the list of banned products under the Hazardous Products Act. If a product is on the list, the sale, manufacture or import of that product is prohibited anywhere in Canada."

I believe it is far preferable for this matter to be dealt with at the federal level, and I think our ministries have investigated this and share that view, and it is being looked into by the federal officials. However, we are not getting very far. On first review, the minister, the Honourable Harvie Andre, has indicated that he does not feel it is a matter for discussion or for amendment to the Hazardous Products Act.

I would simply point out that the Solicitor General did write to him and said:

"What I am seeking is the control over the manufacture and sale of replica handguns pursuant to the Hazardous Products Act. It is felt that

replica handguns fall within the definition of those products that are subject to control under the act."

Later in the letter she says:

"The danger posed to the health or safety of the public is as a result of the improper use of these toys, however, it is their design and construction that permits their misuse. If they were designed or constructed differently, they would pose a far less significant danger to public safety."

This letter from our Solicitor General was sent on April 12 to the Honourable Harvie Andre.

The response received was not at all encouraging, and it indicates: "The Hazardous Product Act is not intended to regulate products which become hazardous through accidental or intentional misuse." Yet they did act in the case of the replica bombs; they did act to ban them right across Canada.

I feel that there is precedent here. While the bill does have some difficulties, I think, in terms of its wording and whether it might be better to handle it at the federal or the provincial level, I believe this House should support the bill in second reading, because second reading is support in principle and we can use the passing of this bill this morning as a way of helping to lever the federal government to provide support for the initiatives already taken by our ministers in presenting this case to federal officials. I think even the member presenting it would feel it would be preferable if these types of guns could be banned Canada-wide rather than just in Ontario. Perhaps my raising it in the House in a question and his presenting this bill, both of these actions, can help to pressure the federal government to act.

1120

I would simply say that the matter has been of some concern in our community. As I said, the banning of these toy guns has the support of the Brantford Police Commission. In addition to the tragedy, the tragic death of the person who brandished the toy gun, there is the very difficult matter of a police officer having to live with having killed a fellow human being. Police officers put their own lives on the line. It is not so much their own lives, but the psychological after-effect of having to live with the fact of having shot another man, even if it is in the line of duty. I think we in the public who are not part of the police force should respect the difficult, split-second decisions they have to make.

The federal government has taken action to ban toy bombs because of similar kinds of effects. I think these toy replica guns are so exact

one cannot tell the difference between the toy gun and the real gun; in fact, the officer concerned did not know until several hours later that the gun he was facing was a toy gun.

In conclusion, I would again compliment the member for raising this issue. My ballot item is item 95. I would not be able to get on with a private bill or resolution for some time, so I was pleased when I heard that the member for Cambridge, my colleague from the Grand River Valley, raised this important issue. I urge members to give support at second reading, to show support in principle for this action.

Mr. Philip: It is a pleasure to rise in support of this bill and also to indicate my support of the previous bill under debate this morning.

As has been pointed out so many times in the newspapers, by the police chiefs and by various other groups, the fact is that gun replicas can result in death just as much as the real guns can. Replicas have often been used in robberies. They have been used to intimidate other people during times of altercation. Looking into the tragic death of Hubert Corbett, the Brantford coroner's jury took its responsibility seriously, and I think its recommendations, as reflected in this bill, should be taken seriously.

Testimony at the coroner's jury was rather interesting. I just want to read a section of it to you, Madam Speaker, and then ask you a question concerning it, because I know you would be interested in making up your mind concerning this bill. One section said, "The 'Magnum Commando' toy gun, which was available in K mart and Woolco stores in Brantford, has a red plastic plug in the tip of its barrel so that people can distinguish it from the real gun." That was the testimony.

I ask you, Madam Speaker, if I were to pull out this pen and point it at you, could you tell me immediately in the wave of the pen whether it had a blue tip or a black tip, whether it was a real pen or simply a replica or a shell of a pen? I suggest to you, as the member for Scarborough West (Mr. R. F. Johnston) has pointed out, that with your trained eagle eye, as a person who can even identify when one member is a few inches out of where he should be seated, as a person with that kind of astute perception, you cannot tell me the colour of the tip of the pen I just showed you or whether it was a real pen or not.

If you were in the situation that the constable was in, a situation where a robbery was taking place, where he was under stress, I ask you whether you would be able to distinguish this from a real gun, this replica which was only

distinguishable from the real gun by a red tip at the end of it.

Indeed, the officer said: "I thought I was going to get shot. I was scared to death." When his partner, Constable Sloop, and Mr. Corbett faced each other and he heard a shot, Mr. Bush, in his seventh year as an auxiliary officer, said that his fear stayed with him. "I was really scared because I didn't know which gun had gone first." So here is a police officer observing the situation and he cannot tell whether the gun is real or not.

We in Canada have a different tradition from our neighbours to the south. We already regulate weapons. My colleague the member for Cambridge has quoted one estimate that about 100 times a year toy or replica guns are used in holdups of various kinds. I do not know whether that estimate is correct or not. I do not know whether there are 100 incidents where police are actually faced with a replica that looks like a real gun and where they really feel they are facing down the barrel of one. Maybe 100 is high, maybe it is an underestimate; but the fact that it can happen even once and the fact that we can have incidents of people being killed is surely enough for us to say that maybe something should be done. If we are regulating guns already, if regulations in themselves are worth while, then why not regulate something like this, which most assuredly has ended up in tragic death?

I ask the members to speak to some of the police officers in their own ridings, some of those who go to calls of family violence, where passions are high and where police officers face a greater risk, I am told, than even in the case of robberies and professional criminals. I ask members to ask them how they feel about the contents of this bill. They are the people who know what it is like to be out there. They are the people who know what kinds of situations they can get into. They know the tensions, the emotions, and they know what these things look like, because they are asking for this kind of change.

For some time I acted as a facilitator at an institution called the Creative Education Foundation in Buffalo, in which we taught various types of creative thinking, writing and so forth. We used to have the children of the people who were on workshops come in and we would also work with them. I am convinced that the creativity of children is unlimited and I ask members, do they really think that somehow children are going to be creatively deprived, that their growth is somehow going to be stunted because they are

going to have to play, if their parents want them to play with these things, with imitations of guns rather than replicas of the real thing?

Some might argue that this kind of legislation can best be handled by the federal government, but if you look at the history of changes in this country, that is an argument that is constantly made. People will say, "No, it can best be handled by the federal government, because surely all provinces should be alike; there should be some uniformity." But if we look at what happens, invariably some province has the foresight to move certain legislation. That legislation passes and acts as a lever on the federal government and, eventually, the legislation becomes universal and fairly consistent across the country.

The member for Brantford (Mr. Neumann) has just pointed out that the federal government appears to be moving very slowly on this issue. Surely the greatest way of bringing about changes is to move on them before people die, before there are more unnecessary, tragic coroners' juries dealing with the tragic death of people where it need not have happened. Surely the time to move is now.

If we get this bill passed, eventually it will spread to the other provinces and eventually the federal government will be on side. In the meantime, I say to members that one more person should not die unnecessarily when this legislation can be passed today.

1130

Mr. Pollock: I want to say to the member for Cambridge that I am certainly in support of this private bill in principle. There are a few things that are not in the bill that I think should be. I join with him and all members of this House in saying it is most unfortunate that a man was shot back on October 3 by a policeman who thought his assailant had a real gun. Of course, it turned out to be a replica gun.

There is not in this particular private members' bill something I feel should be there, and I think we all agree. Most guns are either black or brown. I feel that replica guns or toy guns should be coloured some bright colour so that they would easily be distinguished as a toy gun. I know there is no quick fix, because if you coloured these toy guns orange then criminals could paint their guns one particular colour in order to slip by security in certain places. As I say, there is certainly no quick fix, but I believe that the theory the member for Cambridge advances in this bill is correct. He wants to cut

down on any deaths that might occur by people using these gun replicas.

It has been mentioned, too, that this should fall under the federal government's Hazardous Products Act. I thought the member for Brantford made a reasonably good case in mentioning that imitation bombs have been placed under that act. However, I think it is a thin line. Toy guns are just what they are—toy guns. It is reasonably hard to place something under that act that is just a toy. In a case like that, either the federal government or this provincial government should have a whole new bill, or at least pass this bill, and ban some of these replica guns.

There is also the situation where—like this incident about the man getting killed last October—there have been a lot of people killed because guns are left loaded or left around the house so kids can get hold of them, and ammunition has been left around too. There have been, I would imagine, more people killed that way than through replica gun incidents. We need a better education plan actually, to act on the safety of both the replica guns and also guns lying around the house where kids can get hold of them.

The member for Brantford said that this should be handled by the federal government. I would like to point out that several years ago when we were the government, we were lobbied continually by volunteer fire departments. They wanted a green light to be made available for the top of their cars and trucks when they went to a fire, to warn the general public that there were firemen going to a fire and that sort of thing.

Our government at that time resisted that, I believe, basically because of the fact that most warning lights here are red. Therefore, they avoided ever bringing any legislation in to allow the volunteer firemen to have a green light. However, when the present government took over, it allowed this. It can do things like that, so I do not think there is any problem for it to maintain or make it mandatory that toy guns should be coloured a certain colour or that all replicas that are identical to guns should be banned.

We all know youngsters like to play cowboys and Indians. Maybe I am a little guilty of playing at this sort of thing. One day my son came to me and he said some friends were coming over and they wanted that old .22 that was down in the drive house to play with. There was no firing pin in that .22, but I thought I had better be just a little bit more on the safe side. I can weld, so I took the gun and I put a little bronze in the barrel end of it.

Then I filled the chamber where the bullet goes with bronze. Of course, it had no firing pin, so that gun was rendered pretty well useless. Nevertheless, it could be used in the same situation as the member for Cambridge has mentioned.

These situations occur. I do not believe there is any quick fix as far as these replica guns are concerned, but I think that anything we can do would be appreciated by the general public. If we can save some lives, that is our job. I say to the member for Cambridge that I support his private members' bill.

Mr. Offer: It is a pleasure for me to rise and debate the bill proposed. I would like to indicate at the outset that I speak in support of the principle of the proposed legislation. I also understand, as has probably already been mentioned, that really the impetus for this bill was the incident in Brantford, the fatal shooting of a gentleman and the following recommendation through a coroner's inquest. The jury indicated that a ban should be placed on the manufacture and sale of replica guns. I think it has been stated and is important to state again, that a ban on the manufacture and sale of replica guns could very well have prevented this particular tragedy and may also prevent further tragedies in the future.

I note that this piece of legislation is not without precedents in other areas. In Los Angeles, in Burbank, there has been a ban of sales of replica guns. In Michigan, as well as in Massachusetts and California, legislation is currently being worked through the legislature. In Detroit, there is an ordinance prohibiting the possession, sale and advertising of replica or facsimile firearms. What we are talking about today is something which is not carving new ground; it is in this province and it could prove to be an example for other provinces to follow. In other jurisdictions, in other countries, this type of legislation has been proposed and has been passed and is now in effect.

I think that we have to make a further point; that is, the abuse of the replica guns, as occurred in the Brantford incident, is currently proscribed by the Criminal Code. We are not without our own provisions. Section 85 does create an indictable offence which is punishable by a maximum of 10 years imprisonment for having in one's possession an imitation weapon for a purpose dangerous to the public peace or for the purpose of committing an offence. "Weapon," as one would expect, is defined in the Criminal Code to mean anything used or intended for use

for the purpose of threatening or intimidating any person.

I imagine it is somewhat hard to conceive of a situation where an abuse of a replica gun would not be covered by this section. Also, an amendment could be made to section 84, which refers to the pointing of a firearm, to include imitation firearms, so that this is not the only jurisdiction which can be seized of this matter, but also the federal jurisdiction. I dare say that some would suggest that that is the proper jurisdiction for this matter to be addressed in a more fundamental way than we can do provincially.

1140

It could also be argued that any criminal offence simply provides an abstract deterrent that may minimize but cannot conclusively rule out the abuse of replica guns. This can be achieved only by a complete ban on their manufacture and sale.

It must be mentioned that imitation firearms have been made with other types of equipment, such as metal pipes, other materials, soap, shoes. One cannot prevent such behaviour no matter how much one tries. But once again, and notwithstanding that, it comes down to the fundamental consideration of whether the social benefits of allowing replica guns outweigh the social costs of abusing them.

I believe that those costs do dictate support in principle of this bill, and that is why I support the bill in principle, but it does not mean that I do not have some serious reservations with respect to the particular legislation before us.

The definition of "gun replica" includes an object which "closely resembles" a firearm, and I believe that this question of close resemblance is one that is somewhat vague and does require some further investigation and analysis. We have to make the distinction between banning the manufacture and sale of replica guns and regulating the sale of toy guns by licensing. The object of the bill, as indicated in the explanatory note, is "to prohibit the sale of replicas of guns that might reasonably be mistaken for real guns in the commission of a crime."

The bill nevertheless prohibits the sale of replica guns and requires those who sell toy guns to obtain licences to do so. It does not seem that the requirement of a licence to sell guns runs in line with the purpose for which the bill has been designed, because if there is a prohibition of the sale of replica guns, anyone who sells such a gun commits a provincial offence. Why, then, is it necessary to have toy stores obtain licences

before they can sell toy guns? I think there is some work to be done in making the bill more readable and flowing with respect to the purpose for which it was designed.

I guess one has to ask a further fundamental question as to why the bill prohibits only the sale of replicas and is silent as to their manufacture. That is something that demands some very serious thought.

I am going to give up some time for the remainder. I would like to indicate once more my support in principle of this legislation, but also to indicate that I do have some serious reservations with respect to some of the provisions contained within the bill and also to indicate that there is another jurisdiction, the federal jurisdiction to be specific, that I believe might be a more proper jurisdiction for such regulation in dealing not only with replica guns but also with firearms in general.

Mr. Hampton: I rise in support of this bill and I want to delineate my reasons, because I think we have had mentioned here today some arguments which I would call, "If it is not perfect, it can't be good." I want to deal with those kinds of arguments very briefly. There is no doubt that in our society the problem of firearms and, in this case, the problem of replicas of firearms are very serious problems and problems which I think have to be dealt with on a multijurisdictional level.

It has been pointed out by the previous speaker that there in fact may be a more appropriate jurisdiction to deal with the problem of replica guns; I emphasize the words "may be." I also would like to say, in addressing the possibility of a more appropriate jurisdiction, that some of our most serious social problems, some of our most serious economic problems, have bounced around for 20, 30 or 40 years while a decision has been made as to which jurisdiction of government should attempt to handle them.

I would not like to see that happen with this situation. The fact of the matter is that the member has placed before the House a bill which would go a long way towards dealing with the problem of replica guns, a problem which police forces and many community groups and community associations have recognized as being a serious problem in our society. The fact that the bill cannot deal with all firearms and has not dealt with the manufacture of firearms is not, I submit, a reason to vote against or not support this bill.

In his earlier comments, the member for Brantford (Mr. Neumann) has indicated that by passing this bill we might in fact hasten the

necessity of this level of government or the federal level of government dealing with this very serious problem. I think we should approach this bill from that perspective. There is a very serious problem out there.

There is some possibility that it might be better dealt with at the federal level; however, if this bill were passed here today it would go a long way towards bringing the issue more clearly before the public and also hastening further discussions between this level of government and the federal level of government and, as I say, hastening the ultimate solution to this kind of problem.

For those reasons, I think it is important that everyone today support this bill. As I say, it deals with one of the issues of gun control in our country. As other speakers have pointed out, it is not just a problem of controlling firearms; it is also a problem of controlling replicas of firearms.

I need not mention that in terms of controlling firearms, there are some very strong lobbies out there which would need to be dealt with. We would rely upon the motivation of the federal government to move in that direction. But this is something we can deal with here and now. By passing this bill, we can have some effect on one of the firearm problems, namely, the problem of replica firearms. So I would urge all members to support this bill.

1150

Mr. Callahan: I would like to commend the member for the intent or the object behind this bill. I suppose if we checked with our local police forces we would find that, more often than not, many robberies both in milk stores and banks are probably carried out with the use of replica guns. I think we have all seen some of these replicas and just how real they can look. They probably look even more real when one is staring down the end of the barrel of one of them and being told to hand over the money.

I applaud the member for the intent. I think he will be aware of the fact that the Criminal Code provides that persons can be convicted of robbery even if they use an imitation weapon. So there is already clearly within the federal legislation a penalty for using an imitation gun.

I think the member goes a bit further than that in producing his bill. Actually what he is attempting to do could very possibly have the cross-over of a federal jurisdiction, in my humble opinion. But more important than that, it is a matter which would really interfere in an area that might have proportions far beyond what the bill itself at first blush seems to indicate. It could

wind up with a manufacturer, before he was to prepare any GI Joe type of thing, having to go to the minister and get a permit. I think that perhaps would not be as well received.

I did suggest to the member, although I am going to vote against the measure, that this is something that should certainly be made known to the Attorney General of Canada and the Solicitor General of Canada, because it is a very significant problem that exists today. In a very real sense, an assault is an assault, particularly when it is with a weapon, be it a replica or a real weapon. It is one that causes great consternation and fright, not just for the moment, but perhaps a continuing concern and fear to those people.

In terms of the intent, I applaud the member for his efforts in that regard. There is no doubt there is a problem, but I regrettably have to vote against it because I do not believe this bill itself meets that particular problem. I think it should be dealt with by the federal government, but I certainly hope that a message will go forth to tell the federal government we are concerned about it and to have them look at the issue.

Mr. Speaker: The member for Scarborough West for a short period.

Mr. R. F. Johnston: A short period of time, unfortunately, but I also wish to register my opposition to this private member's action, although again I agree with the previous speaker that it has been brought in for good motives. I really do worry when we bring in legislation which will outlaw the sale of a replica while at the same time in Ontario we license the real thing. It seems to be slightly Alice-in-Wonderlandish to have that kind of an emphasis.

I have real concerns about just what the definition is going to be of these replicas. I think of pellet guns and starter pistols. Are we going to ban blanks now? It would be an interesting notion to follow this particular theme a little further. The federal law is clear on when a weapon or a replica is used. The punishments are there. The kind of ideas that are placed here I think are very dangerous.

Are we going to start banning replica rubber knives as well, if they look like they are throwing knives? Do we not understand that in fact this is a very dangerous kind of infringement on civil liberties by the state and that the carrier of a weapon, whether it is a real one or a replica, who involves himself in a crime bears some responsibility at that time?

Yes, there are unfortunate circumstances which take place and deaths of people such as the example that has been used as the cause for this

particular piece of legislation. But, my goodness, in the end I really do wonder about this kind of emphasis and I would ask at least some members of the House to join me in opposition.

Mr. Speaker: The member for Cambridge had reserved, I believe, a little more than five minutes for a windup.

Mr. Farnan: I would like to emphasize, as was pointed out earlier, that there are states in the United States that have taken a stand and have legislation that bans the sale of such replicas. If we are looking at a situation, we do not wait and say, "We will wash our hands of responsibility because we are waiting for this other level to act." If California, Michigan or Massachusetts had that kind of situation, there would be no legislation in those states.

I think the important thing that comes out of the vote on this particular legislation this morning is the message that we will send. The member for Mississauga North (Mr. Offer) talked about manufacture. We are not talking about manufacture. We cannot control manufacture. Manufacture can come from outside of Canada, outside of Ontario. But we can control sale and, if people cannot sell, they will not be manufactured for an Ontario market.

The important thing is the message that we send out today. I think the member for Brantford clearly defined this. The passage of this bill says that this House is vitally concerned about replica guns and the danger in which they place our police officers. We will never know the number of crimes that have been committed using replica guns. We have an opportunity, my friends, to establish some controls on the availability of these types of replica guns.

The history of legislation throughout Canada is based on the fact that maybe an initiative is taken at a provincial level and it works. Other provinces look at that and say: "Yes, it works. We'll try it"; or the federal jurisdiction looks at the idea and says: "It works. We'll introduce legislation that affects the country as a whole."

I think that the public of Ontario will look at us today and ask what message we are sending out. I think the way members vote on this is the way they vote that message. I hear members say they agree with this bill in principle. Passage of this bill in principle has various options. One option is that it can go to the federal government. It can also go to our own provincial government. But it does say something, that there is a concern, there is an issue.

Hopefully our provincial government—that would be my preference—will show leadership

and provide legislation. But certainly it could be used as an argument in the ongoing dialogue between the provincial and federal levels.

We cannot stand idly by and not support our police officers if by our actions there is any chance at all that, as a result of our legislation or as a result of passage of this bill this morning, but hopefully as a result of some practical legislation at the provincial or federal level, we are decreasing the opportunities for these types of circumstances to arise.

We have heard of the instances, the split-second decisions; and police officers cannot second-guess. They should not second-guess, in my estimation, because their own lives are at stake. We heard from my colleague who mentioned where a police officer lost his life in a circumstance when faced with a gun, a real gun in that particular case.

This bill, I think, does come under provincial jurisdiction. It does give us a control. We cannot control the manufacture, but we can control the sales. Manufacture can come from way beyond Canada. But I think all members will agree people do not manufacture for a foreign market if they know in advance that market has a ban on the sale of their particular product. I think the arguments that have been put forward by the member for Mississauga North do not stand in this regard.

Finally, I would like to thank all members who participated in the debate, both pro and con. I think all the words were well meant, and I would ask for members' support in the vote that is about to take place.

1200

DEAF PERSONS' RIGHTS ACT

Mr. Speaker: Mrs. Stoner has moved second reading of Bill 143.

Motion agreed to.

Bill ordered for standing committee on social development.

1206

GUN REPLICA SALE PROHIBITION ACT

The House divided on Mr. Farnan's motion for second reading of Bill 145, which was agreed to on the following vote:

Ayes

Allen, Ballinger, Bryden, Carrothers, Charlton, Cleary, Cooke, D. R., Cooke, D. S., Cunningham, Daigeler, Dietsch, Epp, Farnan, Faubert, Fawcett, Ferraro, Grier, Hampton, Harris, Johnson, J. M., LeBourdais, Lipsett,

Mahoney, Martel, Matrundola, McCague, Morin-Strom, Neumann, Nicholas, Philip, E., Poirier, Pollock, Pouliot, Ray, M. C., Roberts, Sterling, Stoner, Villeneuve.

Nays

Callahan, Elliot, Fleet, Johnston, R. F.,

Kozyra, Laughren, Mancini, Miller, Nixon, J. B., Polsinelli, Reville, Reycraft, Smith, D. W., Tatham, Velshi.

Ayes 38; nays 15.

Bill ordered for standing committee on administration of justice.

The House recessed at 12:10 p.m.

AFTERNOON SITTING

The House resumed at 1:30 p.m.

MEMBERS' EXPENDITURES

The Deputy Speaker: I beg to inform the House I have today laid upon the table the individual members' expenditures for the fiscal year 1987-88. Members will find their copies placed in the desks in the chamber.

SEXUAL ASSAULT

Hon. Mr. Sorbara: I am rising on a point of privilege, Mr. Speaker. Yesterday during question period, the member for Burlington South (Mr. Jackson) directed an important question to me in my capacity as minister responsible for women's issues. The substance of his question was to ask that the government consider adding to its interministerial committee on sexual assault representatives from the Ministry of Transportation and the Ministry of Municipal Affairs.

After being recognized by the Speaker and before replying to the substance of the question, I interjected on a matter wholly unrelated to the issue at hand. The remark carried with it a lightness and a frivolity that has no place within any forum that is considering the serious issue of sexual assault against women in Ontario.

It was wholly inappropriate to preface my response as I did. I want to apologize to you, Mr. Speaker, and to every member of this House, and in a special way to the member for Burlington South, who, I know, has made this issue an important part of his political commitment.

I also want to publicly apologize to those thousands of men and women who are working with such complete commitment, often through long hours, as volunteers to reshape our society in such a way that sexual assault becomes just a sad and dark aspect of our past. The freedom and equality of women depend so much on the success of their collective efforts, as they do also upon the support they have through effective government programs.

Finally, I want to reiterate the substance of my reply to the member for Burlington South. I will take seriously the member's suggestion to expand the interministerial committee and I will continue to welcome his suggestions as to how the committee might deal with all aspects of the sexual assault problem. I know how deeply he is committed to those objectives.

MEMBERS' STATEMENTS

LABOUR DISPUTE

Mr. Pouliot: I want to take this opportunity to bring the members of this House up to date on the very grave situation that has been allowed to develop at the Kimberly-Clark mill in the township of Terrace Bay.

The government, and the Minister of Labour (Mr. Sorbara), I should add, is only too well aware that between 600 and 700 workers, members of the International Woodworkers of America, Local 2693, have been in a legal work stoppage, have been on strike in the communities of Longlac, Nakina, Geraldton and Terrace Bay. All they are really asking for is job security.

The Minister of Labour in particular should remind himself that negotiations reached an impasse more than five weeks ago and very little has been achieved in terms of trying to bring both parties back to the negotiating table.

Picket line reports indicate that pulpwood is being delivered by Canadian Pacific into the Terrace Bay mill yard on United States rail cars entering Canada through the point of Emerson. I therefore call upon the government to exercise its mandate and immediately review this abusive, systematic and deliberate labour practice.

CARAVAN

Mr. Cousens: Tomorrow, June 17, marks the 20th anniversary of the collective salute to our provincial diversity known as Caravan. This nine-day event revolves around 40 different pavilions in the city of Toronto, reflecting the cosmopolitan nature of the province of Ontario. The original pavilions of Blue Danube, Budapest, Kiev, Manila, Shannon, Vienna and Volga are celebrating a special 20th anniversary, and this year they will be joined by 33 others and the memories of the 992 that have gone before.

Metro International Caravan is not simply important as a tourist attraction; more important, it is a tremendous exercise in co-operation and education. Cultural boundaries are dissolved and understanding grows as each visitor uses his passport to literally travel the world from one pavilion to another. This inexpensive, family-oriented festival develops cross-cultural ties which carry on long after Caravan is finished for the year. The nonpolitical activities of Caravan are now part of a tradition which could not continue without the hard work of hundreds of

volunteers from throughout the province. Their efforts deserve our support and the recognition of the members of this House.

It is my party's hope that once again Caravan will enjoy the success it has always known and that it will continue to foster understanding and pride in the many cultural communities of our province.

LOCAL GOVERNMENT

Mr. Faubert: Members of this House may recall, shall we say, a not-so-supportive newspaper article in the Toronto Sun last fall which questioned the courage of this government's Minister of Municipal Affairs (Mr. Eakins) and criticized him for a lack of action. In retrospect, that article could be no further from the truth.

This government has demonstrated progressive leadership and courage in reforming our local governments to make them more responsive, effective and accountable. Having experienced the up and down sides of local government for almost 20 years as a member of Scarborough and Metro councils, I now take pride in commending the government for its timely and necessary actions.

Three major pieces of legislation have been brought before the Legislature this spring to reform Ontario's system of local government. Direct election to Metropolitan Toronto council was approved in February, which makes Metro government more responsible, accountable and comprehensible to the citizens.

Legislation was passed in April establishing a new system of enumeration which could be carried out through the mail. Despite the doubts of the opposition, 75 per cent of the citizens of the province have already responded to this notice.

Let's not forget Bill 106, passed last week, which, among a number of required reforms, sets limits that require disclosure of campaign contributions and expenses. The reforms inherent in this legislation and the two previously mentioned initiatives will open up our system of local government here in Metropolitan Toronto and throughout the province.

Once again, this minister and this government have tackled contentious issues and provided effective and progressive solutions to meet the needs of the people of Ontario.

TORONTO ECONOMIC SUMMIT

Mr. R. F. Johnston: I wish to bring to the attention of members of the House a clash between the civil rights of the average citizen of

the city of Toronto and the security of the leaders of the free world who are here for the summit in the next number of days. While we would all want to make sure that those people are secure and that they are free from acts of terrorism, there are a number of excesses which I really think members should know about.

Canadian Union of Public Employees members in the city of Toronto who do garbage pickup in the centre of the city were asked by the Royal Canadian Mounted Police to be fingerprinted. As of today, they have been asked actually to do bomb checks in the sewers of the city and rightfully have said that is the job of the police, not them.

There will be a mass gathering of a coalition of groups on Sunday. They have been told by security here that they cannot have tables or chairs because they could be used as weapons. There will no access for the St. John Ambulance to this site, even if somebody is injured or hurt during that period, because of security reasons as well.

This is all happening at the same time as University Avenue will be open all the way down to Dundas. At the same time, the members of the summit will be in my riding, at the Toronto Hunt club. They will not even be in this district, but members of the Fallingbrook Presbyterian Church, a known coven for great terrorists, will not be allowed to drive their cars to their church this weekend.

I would suggest to members of the House that sometimes we need to be a little louder about protecting the civil rights of our citizens.

1340

CONSTRUCTION INDUSTRY LABOUR DISPUTES

Mrs. Marland: There comes a time when somebody has to speak up for the thousands of people in this province who are being held hostage by a very small minority. I am speaking today about the construction workers' strikes that have been dragging on now for weeks. Most people in this province believe in fairness. Most people believe that workers deserve fair settlements. However, most people are sick and tired of having to pay, pay, pay for the unresolved strike action that is going on in the construction industry today.

In my riding, I am hearing daily from families who have sold their homes to move into a house that is supposed to be completed by August and have not even had the foundation poured. These people suffer. They have no place to live.

Mortgage rates go up. The price of their new homes will probably increase, leaving many families which can barely afford a new home in real financial straits.

But who seems to care? Not this group of Liberal do-nothings. Small business suffers. Many of the suppliers and contractors are at the point of packing it all in. This is the bread-and-butter time of the year for the construction industry. And we tax the workers of this province to death, taking away money from the working people.

The Minister of Labour is doing nothing. He is short of cowardly in dealing with these issues. We saw how the disabled had to suffer earlier this year when they were used as pawns in a labour dispute.

Sometimes we seem to forget that the people who end up paying for all of this are the constituents in our ridings. It is time somebody stood up for the small business person, the new home owner and the constituents. They are tired of being ignored, and I think it is not fair.

NORTHUMBERLAND COUNTY SENIOR GAMES

Mrs. Fawcett: Earlier this month, I had the opportunity to open the Northumberland County Senior Games at the Haldimand Township Recreational Centre. Seniors throughout our county participated in a great number and variety of events. Through their participation, they again showed us that age is no barrier to the enjoyment of life. All of those who participated were winners.

However, I would like to make special mention of some of those who will go on to represent Northumberland at district events in Peterborough. They are Margaret Mercer, Clint Branning, Tom Bland, Ruth Gordon, Bessie Leadbeater, Muriel Moore, Gunter Pahl, Bernie Sorensen, Sylvia Cowan, Eileen Kinsey, Ann Donnelly, Margaret Rowland, Ronnie Meades, Lillian Thain, Jan Clarke, Gerry Ireland, Joyce Lees, Winnifred McCracken and Charles Cragg.

Recognizing that June has been proclaimed Senior Citizens Month, I would ask my colleagues to join me in congratulating these individuals who have shown us that opportunity truly is ageless.

LOTTERY TICKET FRANCHISES

Mr. McLean: My statement is to the Minister of Tourism and Recreation (Mr. O'Neil). It is my understanding that Lottario ticket franchises are

automatically awarded to new Becker stores whenever they open for business.

However, the minister is leaving the small independent store owners out in the cold by freezing them out of the Lottario ticket business. Store owners, large or small, undoubtedly appreciate the opportunity to participate in the sale of lottery tickets because customers who come into the store to buy them will undoubtedly purchase other products while they are buying their lottery tickets.

The policy for awarding lottery ticket franchises to the stores is doing wonders for their businesses, but it appears that the independents are not recognized, not appreciated and not supported by this government under the minister's current policy for awarding lottery ticket franchises. I have to wonder why he is bypassing the independent store owners in favour of the large chains when it comes to awarding these franchises.

The resignation requested of Mr. Morris is unacceptable in my opinion. Why was the minister not looking at Mr. Stothers, the chairman of the Ontario Lottery Corp. Maybe he is the one at fault. I say to the minister it is a shame.

MOTION ON SOUTH AFRICA

Mr. B. Rae: On a point of order, Mr. Speaker: I wonder if I could have the unanimous consent of the House to read a motion on South Africa.

Hon. Mr. Conway: Mr. Speaker, if I might, we discussed this matter earlier today at a House leaders' meeting and I indicated, through his good offices, to the New Democratic Party House leader that the motion is not one that we could deal with today because of its impact on both the government and our caucus which have not had the opportunity to deal with it.

As I indicated about an hour ago to the office of the House leader of the official opposition, we would be quite happy to take that to our caucus and have it dealt with there at the earliest opportunity. Therefore, we could not give unanimous consent to deal with it today.

Mr. Harris: On a point of order, Mr. Speaker: The leader of the official opposition has made what I think is a very serious request for unanimous consent on a matter which, the government knows full well, if it is not dealt with immediately, is too late to deal with next Tuesday. Our party believes it is of sufficient importance that we think unanimous consent should be given, particularly when the request and the suggestion were that it not take more

than, I believe, six minutes of House time to deal with the resolution.

Hon. Mr. Conway: It is very clear to my friends in the opposition that this motion was shown to us at a House leaders' meeting a couple of hours ago. It is a matter of some significant import, not just for Ontario but certainly for the government of Canada.

We have a very large caucus that has an interest in these matters. I am saying to my colleagues in the opposition that I am certainly quite prepared to take that resolution to our caucus and report back at an early time, perhaps before the summit has concluded next week.

I do not want in any way to minimize the importance of the issue—that is granted on all sides—but I respectfully ask my friends in the opposition to understand that a matter of this nature is one which I, as government House leader, would like to share with my colleagues in the caucus which is, after all, representative of a majority of members in this assembly.

The Deputy Speaker: As we do not have unanimous consent, we shall now revert to statements from the ministry.

STATEMENT BY THE MINISTRY

PARALEGALS

Hon. Mr. Scott: I am pleased to announce today, the establishment of a study of paralegals in Ontario. Dr. Ron Ianni, the president of the University of Windsor, will undertake a study of their role and function in Ontario's legal system with a view to making recommendations as to which services they should be permitted to deliver and, if they are permitted to deliver any legal services, how they should be regulated, if at all.

Dr. Ianni will be assisted by an advisory committee and will consult with representatives of the legal profession, paralegals, the public and government.

The study is essential for a number of reasons, as I think the history of the issue will make clear. First, the Ontario Court of Appeal in its decision in the POINTTS (Provincial Offences Information and Traffic Ticket Services) case has determined that under current Ontario law, agents who are not lawyers may act on behalf of parties before certain courts and tribunals. Statutes such as the Provincial Offences Act, the Landlord and Tenant Act and the Coroners Act are exceptions to the general prohibition contained in the Law Society Act, and the Law Society of Upper Canada has accepted this

decision and has not undertaken an appeal to the Supreme Court of Canada.

Second, in 1980, the Professional Organizations Committee examined the licensing of law in Ontario. That committee examined the possibility of allowing certain routine legal services to be delivered by nonlawyers. In 1980, it concluded that such an exercise was, as it said, impossible and undesirable. Notwithstanding that conclusion, there are estimates that now as many as 1,000 paralegals are operating and carrying on business in Ontario. Why this has occurred, what they are actually doing and the consequences are not known.

Third, Bill 42, a private members' bill, was before the standing committee on administration of justice in May and June of 1987. The bill, it should be noted, proposed that the Law Society of Upper Canada, through a subcommittee, should regulate paralegals in Ontario. It would appear that the solution proposed by Bill 42 is not the appropriate answer to the paralegal question in Ontario at this time, but it also appears that there is a consensus among interested groups in this area, including the paralegals who appeared before the legislative committee, that further study of the larger issues is needed because we are, especially if their position is correct, on the frontier of what may be a profound change in the marketplace of legal services.

I am therefore pleased to announce the establishment of this project. During his deliberations, Dr. Ianni will be able to address the Court of Appeal decision in POINTTS. He will be able to update the findings and recommendations of the Professional Organizations Committee in the light of current realities and he will be able to take into account the very thoughtful submissions that have been made by interested groups to the ministry and the standing committee, which indicated its desire to have a study of this type.

I have asked Dr. Ianni to report to me in the spring of 1989 and indeed, if possible, before that time. I look forward to the receipt of this report.

Let me conclude by reminding all members that Ontario is at the forefront of the consideration of this very complex but very important issue, and Dr. Ianni's report should have a profound effect upon the province.

1350

RESPONSES

PARALEGALS

Mr. B. Rae: The Attorney General (Mr. Scott) and the government are certainly keeping

Dr. Ianni busy these days. We congratulate him on this appointment. I just want to say a few words on it.

Hon. Mr. Conway: Keeping some of your friends busy, too.

Mrs. Grier: Not enough.

Mr. B. Rae: Touchy, touchy.

It is obviously a subject of legitimate concern. Since I will not be asking a question of the Attorney General about this today, by way of general inquiry I would simply ask whether it is his intention to ask Dr. Ianni to look into the question of what nonlawyers do generally apart from the act of representation.

I refer the Attorney General in particular to questions of conveyancing and real estate transactions. I myself for a number of years have questioned why it is that lawyers need to have a monopoly on such simple legal transactions as the sale of a house, for example; whether it is essential, in fact, to have a lawyer's fee for that kind of transaction when it is, from a legal standpoint, a relatively simple transaction. Indeed, with computerized land tenure registries, it seems to me less and less necessary for the full panoply—and, I might add, cost—of the legal profession to be borne by the poor old consumer.

We look forward to discussing this question with Dr. Ianni. I know my colleague the member for Rainy River (Mr. Hampton) and I have some ideas on this subject. Both of us have been involved in the legal aid and legal clinic movement for some time. Also, we have some very strong views on the question of nonlawyers' rights to represent clients with respect to clients' protection from people who really are not qualified to provide advice and who in fact are overcharging for that advice.

Perhaps I can refer specifically, above the rather substantial din which is now in front of me, to the question of the rights of recent immigrants to this country, who are frequently taken advantage of by those not in a position to know; who claim that they are, for example, able to give special advice in the field of immigration or whatever the field may be and who charge a very heavy sum for that but are not particularly regulated by any acts of this province in that regard.

I welcome this study by Dr. Ianni and look forward to discussing it with him.

The Deputy Speaker: Thank you. Is there any other response from the official opposition? If not, the member for Parry Sound.

Mr. Eves: I also would like to respond to the statement made today by the Attorney General.

This issue was first brought to the forefront by Brian Lawrie, president of POINTTS. He is also president of the Paralegal Association of Ontario. Mr. Lawrie is present in the members' gallery today.

Mr. Lawrie was charged by the Law Society of Upper Canada in 1985 for unlawfully acting as a barrister or solicitor. Following three separate court decisions, all in favour of POINTTS, the Court of Appeal decision in March 1987 was unanimous in establishing the right of independent paralegal agents to offer representation in the lower court systems for a fee.

As early as May 1986, with the introduction of Bill 42, the former member for Oakville championed the right of consumers to a choice in representation available, while also recognizing the need for appropriate regulatory legislation for paralegals.

This is a long-overdue announcement, especially in the light of the commitment by the Attorney General early in 1987 to introduce legislation immediately following the decision of the Ontario Court of Appeal. I say it is overdue because I note by the statement today that this report is not expected until the spring of 1989.

I presume from that it will be late 1989 or 1990 before we have any legislation drafted by the Ministry of the Attorney General. It has taken the ministry some three years even to come to this point. It has been two years since Bill 42 was first introduced in the House, and it has been over a year since the Court of Appeal decision and a commitment from the Attorney General to do something about it. I hope that they get on with this task and that this is not just another delaying tactic on something that could have been in the works for the last three years.

ACCESS TO INFORMATION

Mr. Eves: On a point of order, Mr. Speaker: I rise on a point of order under standing order 88(d). You will recall that this is the standing order which deals with response time for questions in Orders and Notices. Since the election of this government, it has become more and more difficult to get information on a wide variety of matters. In addition to the difficulties we have been experiencing with the timeliness of responses to order paper questions, we have had serious concerns about the quality of those responses.

However, the difficulty in obtaining information from this government is not limited to order paper questions. We have brought to the Speaker's attention the difficulties members

have experienced under freedom of information legislation, our frustration with this government's reluctance to deal with estimates and our concern with various ministers using translation delays to withhold reports. Yesterday we asked questions about delays in ministers tabling annual reports.

Mr. Speaker, you will be aware that standing order 88(d) states: "The minister shall answer such written questions within 14 days..." As of six o'clock last night, this government has failed to meet the deadline for responses under standing order 88(d) for my order paper questions dealing with the capital budgeting for the ministries which I critique. These order paper questions deal specifically with the financial administration of this government. They deal with ministry budgets of this government for the past two years. I will not read the whole of these order paper questions into the record at this time, but I do have copies of them here. They are order paper questions 283, 294 and 303.

This government has failed to provide adequate opportunity for opposition parties to scrutinize ministry budgets under the estimates process for the last two years, as outlined in the standing orders. Now they have failed to respond to what I believe are very responsible and legitimate questions about this government's financial administration. This government's disregard for the importance of the estimates process and its now blatant disregard of our legitimate requests under standing order 88 indicate to me that this government is either not interested in being accountable for its expenditures or is deliberately avoiding accountability.

Mr. Speaker, I know you cannot force ministers to give quality responses to order paper questions, you cannot force them to table reports and you cannot force them to answer freedom of information requests. But you must have some power which will force members to abide by the standing orders. Will you or will you not enforce standing order 88(d)?

The Deputy Speaker: I note your objections. As we all know, the standing orders have been prepared by and for all the members of this House. I can only encourage the ministers to help everybody respond and to respect all standing orders, including 88(d). I think it has been noted before that I personally cannot, as Speaker, make sure and guarantee that this will be done. I can only encourage the government to respect standing order 88(d).

Hon. Mr. Conway: I am anxious to comment briefly on the intervention of the member for

Parry Sound (Mr. Eves), who knows perfectly well that it is, for example, the intention of myself later this afternoon to refer the matter that is troubling a number of members in this Legislature, as to the relationship between the Freedom of Information and Protection of Privacy Act and members of this assembly, to the standing committee on the Legislative Assembly. He knows that. He will be happy to hear me repeat that in the presence of his colleagues.

He will know that we have responded, I think very effectively, to the vast majority of the increasingly numerous requests, particularly from the third party, in so far as order paper questions are concerned. I think there are a few occasions where we have in fact even resorted to the language used by the member for Simcoe West (Mr. McCague), who, in an earlier role, served as Chairman of the Management Board and, in dealing with a flurry of requests from ourselves while we were in that place, indicated—and I think quite properly—that there were a number of avenues open to honourable members in terms of securing information.

The evidence that I have put before this chamber in recent times as to the compliance of the government with respect to the order paper requests, I think, is quite good, although admittedly not perfect. I will redouble my efforts respecting the time-honoured tradition and the standing orders that all honourable members are entitled to as much information as we can possibly provide, although I would indicate to my friend from Parry Sound that it is certainly his understanding and the practice of this assembly that members have a wide range of opportunities to elicit information from the executive council.

1400

I would say in conclusion that his request and the one often put, in sometimes more vigorous tones, by the member for Nipissing (Mr. Harris) that we get on with estimates is something that we are quite prepared to honour, notwithstanding the concerns that other members in the opposition have identified as to how we might do that.

I am quite prepared to do everything I can to ensure that the compliance is 100 per cent, and I encourage my friends, particularly in the third party, to chat perhaps with the member for Simcoe West and to look at the wide range of possibilities they have for the extraction of information, not the least of which, of course, is question period.

Mr. D. S. Cooke: On a point of order, Mr. Speaker: I think that you, as one of the presiding officers, must understand the frustration that the

opposition parties are experiencing. We have the opportunity to put questions on the order paper and expect replies, which is not happening. We have the opportunity to do estimates in committee, which is not happening. It did not happen last year, because of the election, and then it did not happen because of the legislation that had to be referred out to committee.

Then we had a commitment from the government that this time it would seriously review the aspects of the report of the standing committee on the Legislative Assembly on changing the rules, which had not been implemented in the last go-round. The House leaders met, and that whole report has been put aside and has not been dealt with in this session of the Legislature. That report, as you will know, Mr. Speaker, made suggestions on how estimates and budgets and policies of ministries could be more adequately and more thoroughly dealt with, as has been recommended by the auditor of this province as well.

None of the avenues that the opposition parties have attempted to take to do their job appropriately and to hold this government accountable have worked. The government completely stalls and does not give answers to the opposition parties. All I can say is, we will be adjourning this place in a couple of weeks, but come the fall, when we come back to this place, if there are no changes in the rules to deal more adequately with estimates and to get answers to these questions, then I expect that every hour of estimates will be dealt with in committee and we will get answers, one way or the other, out of the government. We are not going to continue to do government legislation in committees and in the House and not get real answers to legitimate questions. It just cannot continue to operate this way.

The Deputy Speaker: As the Speaker, I can only reiterate that I cannot guarantee that any or all of the members will respect all of the standing orders at any time. I think I am very well placed to be able to state this. I can only repeat the invitation to all members, but in this particular case to the ministers, to make sure that the provisions of the standing orders as we have them right now are fully respected.

Mr. McCague: On a point of order, Mr. Speaker: I rise on a point of order under standing order 88(d). I appreciate the honourable mention I keep getting from the government House leader about how I responded to questions when I was Chairman of Management Board. I feel sorry for the people over there, because they accepted the way I did it. The problem I have now is that my

colleagues on this side will not accept the way the Liberals are doing it. That is the message we want to get across to them.

The text of my point is exactly the same as that read into the record by the member for Parry Sound. The two questions that we are talking about in my case are questions 280 and 300. I will send copies of those to you, Mr. Speaker, and I hope that we will get better treatment from this large majority government.

Mr. Jackson: On a point of order, Mr. Speaker: I would like to rise as well on a point of order under standing order 88(d). I too have had three specific order paper questions standing in my name under numbers 302, 287 and 282. These are substantive matters dealing with the budget.

In light of the fact that we have not been meeting to discuss estimates, in particular those of the Ministry of Colleges and Universities, the reluctance to provide that information to the opposition in this House has made our job next to impossible at a critical juncture with respect to university funding in this province, and we would ask the Speaker to be sensitive to the point that is being raised in the House today. On behalf of the Council of Ontario Universities, I too wish to get that on the record.

Mr. Harris: On a point of order, Mr. Speaker: Also under standing order 88(d), with reference to questions 313, 311, 296 and 293, which I will table with you right now, Mr. Speaker, my point of order is that I think we have to be clear under 88(d) that what we are raising concerns about is not the quality of the answer, although we have grave concerns about the quality. What we are talking about specifically is that some form of acknowledgement that the question existed has to be given in 14 days.

It does not have to be answered. An interim answer can be filed saying: "Thank you, we got your question. We will answer it in 35 years." That meets the standing order. That is not acceptable to me and I do not think it would be acceptable for the government to answer that way in other forums, but the standing orders are the standing orders.

Quite frankly, we have brought the 14 days to your attention a number of times. We have had the response from you, Mr. Speaker, that you cannot enforce the standing orders.

We elect you to enforce the standing orders. If you cannot enforce 88(d), are you abdicating all responsibility for all the rest of the standing orders?

I understand that the Speaker's role is one whereby a number of people assume the Speaker's chair, but I ask you to review our comments today. I ask you to review my comments and seriously come back to us with a response about whether you think, as Speaker, you can in any way enforce the standing orders, because if you cannot enforce 88(d), then you are going to have tremendous difficulty enforcing any of the standing orders.

Mr. Speaker, we have put on the record, and I would ask you to review it as well, the information that was put on the record today by the member for Parry Sound about all the other methods that the government has used to frustrate the availability of information to members of this House, to the media and to the public. They are closing in. The net is closing on accessibility, on availability of information.

I ask you not to treat this matter lightly. I understand, Mr. Speaker, that you may want to consult with others, but I do expect you to report back on whether you in fact think you are any longer capable of enforcing any of the standing orders.

Hon. Mr. Conway: I feel obligated to rise and respond in this respect on the point of order. I have listened very carefully to my friends in the opposition and I appreciate fully their concern for the information. I ask all honourable members to look at the questions that the honourable members draw our attention to.

Let me just say that as they look at those questions and as you, Mr. Speaker, reflect upon the information sought, if honourable members opposite want me, as government House leader, to afford time very, very quickly and very fully to examine the issues that those questions speak to, be assured, I say to my friends, that I will respond immediately and positively to a full examination of many of those issues that they seek.

If that is the request opposite, if they want an accommodation—for example, immediate estimates time—I am more than pleased here and now, on behalf of this government, in the spirit of accommodating their desire for information, to give them an immediate, full and positive response.

The Deputy Speaker: I want to assure all members of this House that the Speaker is always sensitive to respect for all standing orders, regardless of which one it is, regardless of the circumstances.

I would like to tell the member for Nipissing (Mr. Harris) that I shall reserve judgement and shall give him an answer later on.

This dossier being closed, as we had finished members' statements and responses, it is now time for oral questions.

1410

ORAL QUESTIONS

PROPERTY SPECULATION

Mr. B. Rae: I have a question for the Premier. We have a rather dramatic difference of opinion between the federal member for York West, Sergio Marchi, who was quoted as saying recently that Toronto has become an exclusive backyard for the well-to-do, and the views that have been expressed by the Treasurer (Mr. R. F. Nixon), the Minister of Housing (Ms. Hošek) and, indeed, the Premier: the Treasurer saying that Toronto is a world-class city, it is a great place to live and there is no problem with speculation, and the Premier's own view that it is nothing but a sweet headache.

We now have the city council in Toronto and we have members, in fact of all three parties who represent Toronto ridings federally and provincially, talking about the need for a speculation tax. We have growing evidence of the impact that speculation is having on the market, evidence from experts whom I have quoted in this House showing that there is as much as \$1 billion in a five-month period of purely speculative activity in the marketplace taking place.

I would like to ask the Premier what kind of evidence it is going to take for him to understand that the only effective way to take the heat out of the housing market right now is to introduce a speculation tax which will directly take money out of the pockets of those who are profiting, not from supplying a housing need but simply from flipping homes in which they never have any intention of living themselves?

Hon. Mr. Peterson: I gather the honourable member has been raising this identical question every day this week with the Treasurer, and I am not sure I can enlighten the member opposite any further than the Treasurer has in the past. We have a number of housing initiatives undertaken at the present time and we think they are going to yield results. We do not think the member's approach to the question would solve the matter.

Mr. B. Rae: It is hard to know what one can do with a government which has got a capital city in the province where you have to have over \$80,000 in family income to be able to purchase a home and the entire personnel of the government seems to think that is OK, there is no problem.

What does the Premier intend to do? For example, let me give him two cases, two units. This is evidence from his own log book of the rent review agency, which shows that the building, for example, at 110 Maitland Street, which sold in May for \$850,000, was resold a year later for \$1.2 million. Another case at 599 St. Clair Avenue West, which was sold in July 1986 for \$442,000, sold in August for \$528,000 and resold in December for \$925,000, an increase of 109 per cent. Both of these—and we can pile them up; we have been piling them up for months on end—all of these are resulting in applications to the rental review agency for increases as high as 40 or 50 per cent in one year. There is a backlog of 24,000 cases that have not even been heard.

Does the Premier not think it is time he changed the rent review law to kill the backlog and to make it impossible for people to claim the kind of economic loss and financial loss which is simply encouraging this kind of speculation in the marketplace when it comes to other people's homes?

Hon. Mr. Peterson: I think there is protection in there from those flips; that is in a section of the act, and I can say to my honourable friend that we are prepared to review any piece of legislation to make it more efficient.

Mr. B. Rae: All I can say is that if the Premier thinks that an act which guarantees a rate of return of 10 per cent just starting out for the indefinite future, a 10 per cent increase in rent for people, many of whom are on fixed incomes, is a fair system, then he has a very different definition of fairness from mine and that of members of my party.

I have a letter addressed to a member of my research department from a Mrs. Helen Farkas, who lives in Don Mills at 135 Fenelon Drive, apartment 1603, in which she describes her life in the apartment. She says:

"Speaking from my standpoint, I already pay two weeks of wages after taxes for rent and it is impossible to give any more, since somehow I have to survive. I am 55 years old and if I need a pair of shoes then I am forced to work overtime for it."

That is going on at precisely the same time as some others in our community are debating about whether you can live on \$327,000 a year. That is what is happening in the Ontario for which the Premier is responsible.

I would like to ask the Premier just what is he going to do to make sure that affordable housing

is a reality for people who choose to live in this city?

Hon. Mr. Peterson: I think my honourable friend may want to focus on some of the positive initiatives undertaken by the ministry. We recognize that there is a problem, there is no question about that. That is why it has had the attention it has had from this government—the Ontario home ownership savings program of the Treasurer and the use of government lands to build housing, 55,000 nonprofit units; there have been a number of announcements in that regard.

Although I regret to tell my friend I cannot deliver it in one day, I think that our program will bear a real dividend and, with any luck, will help people like the person he mentioned.

TORONTO ECONOMIC SUMMIT

Mr. B. Rae: I want to ask a question to the champion of civil liberties, who does not need any lectures from this party on this question because of his lifelong membership in the Civil Liberties Association of Canada.

The Deputy Speaker: Who may that be, please?

Hon. Mr. Scott: That's me.

Mr. B. Rae: The Attorney General. Together with many other people, I can express my profound concern that from the point of view of the ordinary citizen, the major impact of the summit conference being held in this city is to diminish his or her right to assemble and his or her right to participate in a peaceable demonstration.

I wonder if the Attorney General can explain why one of Ontario's major expenditures and contributions to the summit is to plan two special bail courts, which will be sitting on a Sunday, in order to deal with a demonstration that is not allowed to take place on University Avenue because demonstrators are not being allowed to go down University Avenue? Can the defender of civil liberties explain why this is one of Ontario's major expenditures during the time of the summit?

Hon. Mr. Scott: I very much doubt that I can explain anything that will please the honourable the Leader of the Opposition, who seems to be out of sorts almost every single day we meet him, but I will do the very best I can, and if there is a supplementary I will be glad to try to respond to it.

The fact is that the summit, which is not being run by this government but by the federal government, has attracted a large contingent of

federal security forces which are supplementing the efforts of our own local police to perform their duties as they do every day.

We are advised by the federal contingents that they anticipate that there will be a number of people who will commit breaches of the law. We do not know whether that is so, and it would certainly be most unlike life in Ontario to have it so.

The chief judge of the criminal court, confronted by that reality, said that in the event arrests took place he believed it was appropriate that a bail hearing should be held immediately, even on Sunday if necessary, so that such persons, if arrested by the federal or other forces, would be out on bail at the earliest possible opportunity and would not have to wait overnight until Monday when the cases would normally be dealt with.

He asked us if we could provide additional resources so that those bail hearings could take place on Sunday, and we did so. I believe it is important, as I know the honourable the Leader of the Opposition does, that if people are arrested by security forces, they should have an opportunity at the earliest possible moment to appeal to a judge for bail so that they can be released.

That may be—I know the honourable member will not want to be cynical about it—a civil liberties consideration. It is one I have, and I believe he has, squarely at heart: bail should be available at the earliest possible moment to anybody arrested.

Mr. B. Rae: It is a rather curious statement of this province's priorities that its two major expenditures during this summit are for a fashion show on a Sunday night and for special courtroom facilities being made available in order to deal with demonstrations that are expected. This is the contribution of this government to the sense of the world that is available here.

Mr. D. S. Cooke: And won't do anything on South Africa.

Mr. B. Rae: And at the same time will not allow us to debate a resolution on South Africa where people are now imprisoned and threatened with capital punishment rather imminently.

I would like to ask the Attorney General, how does he feel personally about the fact that people are not being allowed to assemble down University Avenue on Sunday and are being prevented from carrying on a demonstration which at any other time of the year, and I would suspect, in London, Paris, or indeed any of the other capitals where these people are normally, demonstrations

would be permitted. Why is it that when these guys get together, all of the basic rights which we are supposed to be celebrating in the western world suddenly disappear, all in the name of security? Why is that happening?

1420

Hon. Mr. Scott: The first part of the question has to do with what my honourable friend calls the major investment that my ministry has made with respect to the summit. The major investment to which he is referring is, of course, that we have responded to the request of the chief judge for extra funds so that we can ensure that bail opportunities will be available if anybody is arrested on Sunday.

I think that is important. I regard it as of major importance to ensure that if anybody is arrested, he or she be presumed innocent until he is tried and convicted and that he be allowed out on bail as quickly as possible.

In Ontario, we have traditionally provided that response on every Sunday of the year. What we are told by federal security forces is that the demand may be greater this Sunday. I hope it is not, but if it is, we want to be able to respond. I do not want any citizen of this country arrested, presumed innocent, and kept in jail overnight if he is entitled to bail under our law. I am not at all ashamed of doing everything we can to make sure that happens.

Mr. R. F. Johnston: In my members' statement, which the minister applauded, raising some of the similar concerns about the infringement on civil liberties, I raised some of the matters which are happening here on this front lawn on Sunday and on which we are putting in more restrictions than we have ever put on an assembly of people who wish to express a point of view.

We are saying that St. John Ambulance is not going to be allowed on the property. They may not have tables and chairs to put out their literature, etc., for people to see, because these could be used as weapons. That is what I was told, even though they will be miles away from the summit leaders, who will be in my riding harassing the Presbyterian population of the Fallingbrook Presbyterian Church, who will have to walk several blocks to church rather than park their cars there.

I wonder if I can ask the minister if he will please investigate the steps that are being taken around security in this place on Sunday to see if they cannot be loosened a little bit to make sure that the right to assembly is not infringed by the extra steps that we are taking.

Hon. Mr. Scott: I am very sensitive to the honourable member's concerns, which are entirely appropriate and well-intentioned.

The properties that he is talking about are, of course, either owned or managed by the city of Toronto, in respect of the parks around this building, or the University of Toronto adjacent.

The honourable member will have seen yesterday that the University of Toronto complained to the municipal police, as it is entitled to do under our law, about interlopers or so-called trespassers in a tent city on the playing field adjacent to Hart House. As a result, the university made a complaint that led to a charge. All that, they are all entitled to do, and I will certainly inquire to see what circumstances the city decides to impose with respect to the property it owns.

The good news, if there be any for my honourable friend, is that the bill I had the honour to introduce last week, which was the amendment to the Trespass to Property Act, would, in effect, reduce the incidence in a significant way of the kind of matter that he is now concerned with.

INTERPROVINCIAL TRADE BARRIERS

Mr. Brandt: My question is for the Premier, and it relates to the ongoing matter of interprovincial trade barriers. The Premier may recall his statement to the first ministers' conference back in November 1985 where he said: "It is well past time that all of us joined in a real commitment to reduce barriers in our domestic market. The first trade walls that must come down are those inside this country."

I might state, by way of an aside, that I agree with the Premier's statement as it relates to the reduction and removal of interprovincial trade barriers, but can the Premier perhaps reconcile that statement with the report in today's *Globe and Mail* that Ontario is in fact refusing to remove interprovincial trade barriers in the pricing of wine?

Hon. Mr. Peterson: I do not believe that is the case at all. What we are making sure of is a number of things: One, that this is not sort of a back door way of getting at the wine industry through the free trade agreement; and two, that we are completely prepared to work with anybody who is prepared to work with us.

My honourable friend will understand that—and I assume he is referring to the Quebec wine industry—that the Quebec wine industry is not an industry. The Quebec wine industry takes large bottles of wine from France, puts it in small

bottles and calls it Quebec wine. It is really French wine. We do not do that. We have a large growing population here and production facilities here. The member may want to inquire why the Quebec wine industry, or the business of putting it from large bottles into small bottles, was exempted from the free trade agreement, but ours was not. That is an interesting question for speculation.

We are prepared to play absolutely fair with everybody who is prepared to treat us reciprocally.

Mr. Brandt: If everyone considered the removal of all of these barriers fair, by whatever criteria he might want to employ, we would not have any difficulty in convincing Quebec that construction workers from Ontario should be allowed to work in that province. We would not have any difficulties with respect to some of the problems of government purchasing, which, as the Premier well knows, is under very strict limitations in some provinces.

I want to say to the Premier that someone is going to have to break the logjam on this issue if, in fact, this is a priority for him and his government. He has indicated this in the context of his statements, indicating that to reduce trade barriers between Canada and the United States is, perhaps, of lesser importance and significance to him, and that his priorities really would be to reduce trade barriers across Canada. I happen to agree with that, as I stated earlier, but I want to know what steps the Premier is taking to make that reality possible in this country?

Hon. Mr. Peterson: I think, probably, my honourable friend and I agree on most aspects of the question that he has raised. He points out a number of things that are worrisome to us. Other provinces have restrictive labour mobility legislation, we do not. I have gone to parts of this province and said: "Good Lord, look at all the people from other provinces moving in and taking our jobs!" We go to other provinces and our people cannot go there. I think it is not in the interests of the country. We have not responded to that and we do not have any restrictive legislation in that regard.

The member also talked about preferential purchasing policies. I know my friend is familiar with that. We do not have an Ontario preferential purchasing policy; we have a Canadian preferential purchasing policy that favours other provinces as well. We are one of the few provinces that has that, and we will continue. We have not responded in kind to some of the things that other provinces have done.

I think, if the member looks at the broad range—and I am not suggesting that Ontario is perfect—part of it is government and part of it is the systems we have developed, union systems and certain other institutions in society. But I think, on balance, we have far fewer than any other province. We have been pushing those discussions, as has the member, as one of the previous ministers and another of your predecessors. We have always believed in that from Ontario's point of view.

Are you asking me to give up something with no return right now? We are certainly prepared to provide leadership, but, on the other hand, it is a trifle naïve just to provide leadership when no one else is following along. I am trying to persuade my colleagues in other provinces that it is in the national interest to do this. We are prepared to work with them. We have been taking the lead and, indeed, have been doing so in a wide number of areas.

If my honourable friend has specific ideas that he is recommending, then I take them very seriously.

Mr. Brandt: The Premier is well aware that Ontario does not come to the table with entirely clean hands as it relates to this issue. That is not to say that we are the worst of the 10 provinces. Perhaps we are not the best, but I think Ontario, because of its size, because of the very pervasive kind of import that Ontario has with respect to all of the provincial economies, must show leadership.

I am asking the Premier: Since he has found considerable flaw in the free trade arrangement between Canada and the United States and has indicated that is not a doable deal because of problems, we now ask the Premier to show some leadership with respect to the removal of interprovincial trade barriers. I want to know what solutions he has come up with, what he is prepared to put on the table, recognizing that, in every negotiation since the beginning of mankind, people have had to give up something to get something. What is Ontario prepared to negotiate with? What is Ontario prepared to do? Is it the wine industry? Is it some other matter of concern that the other provinces have that he is prepared to negotiate with?

I ask by way of question, what leadership is Ontario going to show on this vital, critical issue? It is important to national unity. It is important, certainly, to Ontario.

1430

Hon. Mr. Peterson: I appreciate the honourable member's question. I always find it some-

what interesting how members of parliament get these dramatic changes in heart from that side of the House. Where was the leadership when he was in a position to provide it? I say to my honourable friend that we have provided leadership in that regard.

Ontario is prepared to treat every other province with complete reciprocity. We have not responded to a number of barriers that they have raised in the past, nor will we in the future. We want to see a dismantling of that. As the honourable member himself acknowledged, we have far fewer internal barriers than any other province, and we are prepared to show leadership in that regard, but I think we have to have some reciprocity in that regard.

With respect to the wine industry, we are prepared to treat any other province in the wine industry the same way it treats us. There is no problem in that regard. We are prepared to look at many other industries as well in that regard.

I can tell the member that he is quite right. For a number of reasons, largely inherited, Ontario does not come to the table with clean hands. But I can tell him that we have shown a great deal of leadership in pressing the national case, and we are trying to build a case for removal of internal barriers.

ONTARIO HYDRO

Mr. Runciman: I have a question for the Minister of Energy. By our calculations, the 2,400 redundant managers and others at Ontario Hydro identified by the Cresap report are costing the consumers of this province at least \$140 million a year in higher rates. I am sure the minister will agree that this is an almost unprecedented waste of consumers' money and must be stopped as quickly as possible.

Has the minister given Ontario Hydro a timetable to eliminate this massive haemorrhage of our dollars? When can we expect this waste to be down to zero dollars per year?

Hon. Mr. Wong: First of all, in answer to the honourable member's question, the Cresap report did not quote a figure of 2,400 excess managers. In fact, there are only 700 managers in all of Hydro. What the study did was examine one large branch—the production branch—and give, at the same time, an overview of the other branches.

What the study concluded was that there are some branches that are overstaffed and there are some branches that are understaffed. In the case of the production branch, the excess staff was approximately 450, and these people would be

best deployed in the understaffed branches and areas.

There is a plan, which would take between one and three years to implement, depending on the nature of the backgrounds of the individuals concerned.

Mr. Runciman: The minister has chosen to play word games. This report says 10 per cent of the corporation's staff. The corporation's staff is 24,000.

The Ontario Energy Board, in its 1987 report, expressed concerns along similar lines. His comment is really reinforcing a growing perception that the minister is no more than a spokesman for Ontario Hydro. The clock is ticking at \$140 million a year, and we need some firm goals and some firm dates now.

Does the minister have a specific plan to eliminate the massive waste at Ontario Hydro of our dollars, and what is it?

Hon. Mr. Wong: The honourable member has asked several questions in his supplementary. First of all, the Cresap report: These are people who are in the consulting business, who specialize in looking at utilities. They simply said that, based on their previous experience of looking at other utilities, this utility could have as much as 10 per cent of its total workforce that might have to be moved.

The other question that the honourable member asked was with respect to a specific timetable, a specific plan. I have seen some plans that, as I indicate, map out a procedure whereby these people can be deployed.

Let me say, finally, that the government has been asking Hydro to improve its productivity for a while now. The opposition members have also done the same thing, and I am pleased that Hydro, in its own internal studies, has recognized the possibility that it could improve its productivity. This study simply confirms that. There is a plan in place.

Mr. Runciman: This is a classic case where a qualified, independent outsider is needed to clean up the situation. I guess as a former chairman of the standing committee on public accounts I would tend to suggest the Provincial Auditor as someone we could have come in and determine whether the plan or plans that the minister is talking about to cut waste are the best possible and to make sure they are implemented effectively.

Would the minister support the Provincial Auditor's evaluating Hydro's plans to eliminate this waste?

Hon. Mr. Wong: In view of the fact that the Ontario Energy Board is currently reviewing the Cresap productivity plan and in view of the fact that the board allows for public input and special interest input, I feel that the matter is being adequately aired.

ONTARIO LOTTERY CORP.

Mr. Farnan: It appears to me that the forced resignation—

The Deputy Speaker: To whom are you asking your question, sir? To whom is the question addressed?

Mr. Farnan: The Minister for Tourism and Recreation. It appears to me that the forced resignation of Mr. Morris as president of the Ontario Lottery Corp. is just another measure of damage control on the part of OLC and the Liberal government.

The minister will agree that it totally undermines the public confidence in the lottery system in Ontario when tickets have to be withdrawn because of flaws in the system. Will the minister attempt to restore public confidence in the OLC by immediately announcing a public inquiry into the management, procedures and operations of OLC?

Hon. Mr. O'Neil: First of all, may I say to the member for Cambridge that I appreciate the fact that both he and the reporters from the Sun newspaper brought this matter to our attention so that it could be resolved and, I feel, solved.

I will say that the resignation of Mr. Morris was asked for this morning, and that will be proceeding. But I can tell the member that it is our intent to maintain the confidence that should be with the Ontario Lottery Corp. It is a very important corporation, which generates a lot of income for a lot of very worthy causes that this government supports, and we will continue to go forward with the Ontario Lottery Corp.

Mr. Farnan: It is reported in the Sun newspaper today that the American company that tests lottery tickets for OLC could not replicate the X-ray tests that found the Money Match and Double Dollars tickets to be flawed. Now we find that OLC may be going outside the province for the printing of Wintario tickets, and Lucky Match instant lottery tickets are being printed in the United States. Indeed, other instant tickets, in time, will be cracked, because now people know that it is possible.

Given the track record of OLC's experience with the failure of US testing methods and the questions being raised by the public about the overall credibility of the OLC lotteries, to ensure

that confidence remains it is not sufficient simply to accept the resignation of the president. The only way to do this, I put to the minister, is through a public inquiry. I would ask the minister again, will he please restore the confidence of the public of Ontario in the OLC by having a public inquiry and clearing the air once and for all?

Hon. Mr. O'Neil: Again, I feel that the confidence of the public is there and will remain. I might mention to the member that when he was talking about the two games that were withdrawn and the one that was not, the Lucky Match instant game tickets, which are still on the market, are printed using a nonmetallic dye, unlike the Money Match and Double Dollars tickets, which used a metallic dye; that is why the numbers could be recognized.

Ongoing sophisticated testing indicates that Lucky Match tickets are secure and that the instant game products are significant contributors to lottery profits.

1440

CONDOMINIUM REGISTRATION

Mr. Cousens: I have a question for the Minister of Consumer and Commercial Relations. Condominium owners face six months to a year before they can register their units; or in fact, if they own their own units, they are forced to be tenants until registration occurs. Could the minister tell this House what the current backlog is of owners awaiting registration and what measures his ministry is taking to speed up this process?

Hon. Mr. Wrye: I am just checking. I do not have quickly at hand the level of the current backlog. I do not believe that any delays are necessarily being created by our ministry. If my friend is suggesting that, I am sure he will give me some specifics in a supplementary and I will be happy to look into them.

Mr. Cousens: First, it would be good if the minister could give us what he thinks the backlog is. Certainly those people who are part of the backlog are in a very helpless situation, especially when their units have not been fully completed.

A committee of owners from the Observatory condo complex in Richmond Hill has requested the Housing and Urban Development Association of Canada to look at the needed repairs and the completion of items in their condominiums. But HUDAC officials are refusing to do anything for them until there is a copy of the land transfer title before they will investigate it and before they will follow up on it.

How does this procedure, with owners having to have the land transfer title in their hands and on the other hand HUDAC having to wait for that before it will do anything, begin to solve their problems? Is this not something that is inequitable and something he could do something to correct?

Hon. Mr. Wrye: I think the honourable member raises a good point. I will look into the specific situation and get back to him on it. But the member should know, and I am sure he does, that the Condominium Act is one of a number of pieces of legislation we have been reviewing on quite a high-priority basis.

There is no doubt that there has been a veritable explosion all over the province, but particularly in Metropolitan Toronto, of condominium units over the last few years. It is our estimate that we will have some 300,000 by the end of the decade. That being said, certainly our legislation does not reflect some of today's present realities. The member raises a point on which consumers do not appear to be adequately protected. Certainly that is among a number of issues which we are addressing and seeking answers to.

HORTICULTURAL INDUSTRY

Mr. Dietsch: My question is to the Minister of Agriculture and Food. As the minister will recall, last year was not a good year for the sour-cherry growers in Niagara.

In view of the concerns of the Ontario Fruit and Vegetable Growers' Association over the free trade agreement, could the minister provide this House with an update on the status of the long-promised amendments to the Canada Agricultural Products Standards Act, otherwise known as the CAPS Act, that are needed to safeguard Canada's horticultural industry?

Hon. Mr. Riddell: I want to thank the honourable member for his question. From the alleged \$30 million that the federal government will spend to sell the free trade agreement across Canada, it has made many promises. One of these promises was to redraft federal regulations on bulk containers and consignment selling in order to maintain Canada's orderly marketing arrangements for the horticultural industry.

I regret to say that no action has been taken to this point in time on behalf of the federal government to address the very real concern that the horticultural industry has about the reinstatement of the CAPS Act. So as it now stands, the horticultural industry in this province and throughout the country is left undefended by the

federal government, despite the many pleas that have been made by the industry and by this minister that these pieces of legislation be passed and enforced.

Mr. Dietsch: Growers cannot continue to withstand the federal government's lack of concern in the Niagara area. Would the minister indicate what he will do if there is no further action on these federal legislative changes before July?

Hon. Mr. Riddell: As the honourable member knows, the authority for these specific pieces of legislation rests solely with the federal government. I wish it were otherwise. I wish the provincial government would be able to pass legislation to protect the industry but, unfortunately, we cannot. About all we can do, and it is what we and the industry have been doing for some time now, is to make as much contact as possible, by way of telephone and correspondence, with the federal government to make sure that it does put in place this kind of legislation and that it does enforce it.

As a matter of fact, I just recently sent a telegram to my federal counterpart, again encouraging him to fulfil his promise to Canadian horticultural producers. Indeed, I will see that this matter is raised at the agricultural ministers' conference which will be held in Toronto in July. I hope to have a full-blown discussion on this issue as well as on free-trade-related issues. We will certainly be doing our part to make sure that the federal government protects the horticultural industry as well as other supply-managed commodities, as it promised to do when its members went around this country trying to sell the free trade agreement.

MASSEY COMBINES CORP.

Mr. Mackenzie: In the absence of the Premier (Mr. Peterson), I would like to go back to the Treasurer. The Treasurer and the Premier received correspondence yesterday from the Canadian Auto Workers which informed them that the press release it had just received from Peat Marwick confirmed what the union was told by a confidential source: The Park Corp. offer to purchase and operate Massey Combines in favour of breaking it up had been turned down.

The union pointed out the tragedy this was for hundreds of Massey workers and specifically asked the Premier and the Treasurer: "I would request of your government, a meeting be set up immediately with the representatives of the receiver, the federal government, our union and Park Corp., who to the best of our knowledge has

submitted the only bid which would keep the facility intact, manufacturing combines, balers and other farm equipment in Brantford and providing jobs for long-service Massey workers. We request your immediate attention and await your reply."

They have been trying to get a response since this was sent yesterday. Can the minister tell us whether or not he is going to arrange such a meeting?

Hon. R. F. Nixon: The honourable member is aware that the receiver is appointed by the court and his recommendation is to the court. That recommendation, as far as I know, has not been delivered to the Supreme Court, and it will not be for a few days. It would be open, presumably, for those people interested in this particular matter to make recommendations to the court at the time. I think that is the suitable time in which these discussions might go forward.

I want to make it clear that as far as this government or the government of Canada or anyone else in the Brantford community is concerned, we want to do everything we can to see that the property is put back into productive utilization as soon as possible. Certainly any offers would have to be considered by the Ministry of Industry, Trade and Technology, and I believe that is the case.

Mr. Mackenzie: I do not think that precludes the minister from calling some of these interested parties together. It is urgent, and they are asking him specifically to do that, as I did two days ago. They would like to know whether or not he is prepared to do that.

As I am sure the minister is aware, there is a large demonstration occurring now outside the office of the member for Brantford (Mr. Neumann), and at that demonstration, some of the retirees, as well as the employees, are going to be calling for a judicial review. Is the minister prepared to get the parties together to save this facility while there is still a possibility?

Hon. R. F. Nixon: Myself, the Premier, the Minister of Industry, Trade and Technology (Mr. Kwinter) and obviously the member for Brantford are prepared to meet citizens' representatives of any group whenever it is mutually convenient. But I also want to make it clear that the elected member for Brantford has put his views publicly and before myself as Treasurer, and has passed them on to other members of the cabinet. We will certainly review those recommendations, as all members would hope.

ROAD CULVERTS

Mr. Villeneuve: I have a question to the Minister of Transportation. The question relates to the increasing danger posed by deteriorating pipe-arch road culverts. The minister may know that there were injuries in the Oxford-Middlesex area where a pipe arch collapsed under two cars and that in my own riding of Stormont, Dundas and Glengarry we have had to spend almost \$500,000 to repair pipe-arch culverts that could be a possible danger. Can the minister report on that?

1450

Hon. Mr. Fulton: The member would be aware that with our supplementary program over the last couple of years, bridges—and bridges are defined as culverts or any other structure of that calibre—have been of primary importance. We have some 15,000 of those structures throughout the province. I would venture to say that a number in eastern Ontario, certainly in the riding of Stormont, Dundas and Glengarry and the riding of Prescott and Russell, have been addressed in the past two years. I would be happy to provide the member with exact details, both of the locations and the dollars spent. It is an area of priority that we consider number one, that is public safety where bridges and bridge structures are in disrepair.

Mr. Villeneuve: I appreciate that answer. However, the minister will be aware of the existence of a report, and I will quote from this report, "At least 180 pipe-arch culverts in Ontario are so seriously in distress they could fail within a three-year period."

Will the minister agree to ensure that his officials contact municipalities, particularly the smaller municipalities, establish where the hazards are and report to both the municipalities and this Legislature where the problems really are?

Hon. Mr. Fulton: We have asked for federal assistance in a number of areas, including the rebuilding in the country of this provincial infrastructure.

I can recall my last visit. I visited, I think, 39 municipalities in the riding of Stormont, Dundas and Glengarry on one particular trip. Those things were brought to our attention, and we are working on them. We consider them of paramount priority in this ministry.

HOME CARE

Mr. Allen: I have a question for the Minister of Community and Social Services. I have risen many times to confront the minister with the

ongoing crisis in visiting homemaking for our seniors and disabled citizens.

Today, the minister has released a report of the interministerial committee on visiting homemaker services which says it all over again. A critical table in the document makes it plain that in the evaluation of key-job compensations, visiting homemakers are the lowest paid of all of those who serve in key-job sectors.

The major conclusion, if I might read it, is that "increasing homemakers' wages"—and the committee suggests at least \$7 per hour plus 20 per cent benefits, agency scale and regional variations—"is the single most important factor in ensuring the ongoing viability of the visiting homemaking system."

Will the minister, in the light of this report and its clear recommendations, immediately implement its recommendations and make them retroactive to the fall of 1987, the date originally targeted for the implementation of the recommendations of this committee's work?

Hon. Mr. Sweeney: As the honourable member knows, we have had this report for several months and have been reviewing ways of trying to address the major recommendations, and certainly the major recommendation with respect to wages. I do not quarrel with that recommendation. I have indicated to the honourable member, as he has just indicated, through several previous questions that we are attempting to find ways to find the resources to meet it.

The honourable member will be aware of the fact that my colleague the Minister of Health (Mrs. Caplan) is responsible for about 60 per cent of the homemakers who are used in the province, primarily through the home care program, and my ministry about 40 per cent. We have had ongoing joint negotiations between the two of us as to how we find within our current ministry budgets the necessary resources to do this. I expect that within one month we will be able to make a public announcement with respect to that.

Mr. Allen: I do hope that means action will follow and not just some other kind of response. The minister is soliciting responses from the field at this point in time. Of course, the visiting homemakers have been responding and responding, not only over the length of this committee but also over the previous period of time, in order to get some action from the ministry.

If I might take one example from the observations of the report with respect to why action is so urgent, namely, that there is no training going on for visiting homemakers despite the urgency of and the key function that

they perform. In that regard, the study says quite clearly and frankly that the homemakers lost their training status under the Canadian Jobs Strategy because the low wages afforded by the ministry funding levels made it "an undesirable profession."

The Deputy Speaker: The question is?

Mr. Allen: I repeat my question. When the minister stands to respond in, say, a month's time, as he seems to indicate, will he in fact be acting on the principal recommendation in this report, which will be to clear the logjam with respect to wages in the system and to peg them at the levels that are indicated in this study?

Hon. Mr. Sweeney: The honourable member is correct that our distributing this document to the people who are most affected by it, particularly the agencies in our various communities, is not intended to clarify the recommendations. They are very clear.

I do have one responsibility, however. As he will note in the first two or three pages, there were considerable numbers of individuals who contributed to it. They have not had an opportunity to see the entire document, and if they wanted to make some input within 30 days, I felt I had a responsibility to permit them to do so.

The difficulty we have with the training component is in the report itself, and I am referring to page 29. The report indicates that the range of activities most frequently carried out includes personal care, housekeeping, meal preparation and laundry ironing. We have some disagreement with our agencies and ourselves as to how much further training is required to carry out those kinds of tasks. Someone has suggested, for example, that the providers need a community college training program. We do not think that is necessary.

What we have to agree on, though, is what is required. Until there is an agreement on that, we are not prepared to launch that training program. We accept our responsibility to work with our providers to do that. It is unfortunate that the federal government has backed out. I understand their reasons. We will try to get them involved again. If they are not, we will accept the responsibility.

LABOUR DISPUTE

Mr. McLean: My question is for the Minister of Community and Social Services. Can the minister explain what he meant when he told the Orillia Packet and Times newspaper on June 10 that his ministry is willing to help Catulpa-Tamarac Child and Family Services reassess its

budget allocations but cannot provide more funding to meet the 25 per cent wage increase worked out last year before the offer was withdrawn by the social service agency's management?

Apparently, management and the ministry officials have been meeting. Can the minister bring us up to date on what is taking place in those negotiations?

Hon. Mr. Sweeney: It is fairly obvious that what management and staff at Catulpa-Tamarac would require from this ministry is simply more money in the pot. I have indicated very clearly that my budget limitations provide me with an opportunity to increase the budgets of all 1,800 agencies across this province that we work with by the rate of inflation. I simply do not have more money than that.

What I indicated we would be prepared to do, however, is to sit down with management to go over their budget with them to see if there is some way we could work with them to reallocate some of the elements within that budget if it would be of some benefit in their negotiation process. That is not to say that we are going to put more money into it, but can we work with them to see whether or not reallocation is possible. I do not know whether it is. We are simply offering that service.

Mr. McLean: I thank the minister very much. I am curious to know if he will take the time to have his staff sit down and discuss it with them to try to draw this dispute to a conclusion. Over 600 units are being affected there, and it is all right to say that we are willing to do it, but I would like to know, and I know they would love to know, when the minister will direct his staff to make sure this dispute is settled.

Hon. Mr. Sweeney: I concur with the honourable member that the 600 people who were served by Catulpa-Tamarac are the most important in this whole discussion. Even the staff who are currently on strike would agree with that.

I am also very pleased at the responsible attitude that Catulpa-Tamarac has taken in terms of providing in other ways a range of alternative services for many of those people. Certainly we in our Barrie area office are prepared to do what the member asks. I will contact my officials there again to determine what has already been done and to determine what else we are able to do. We will help in any way we can to try to settle this one.

AGRICULTURAL SUBSIDIES

Mr. McGuigan: My question is to the Minister of Agriculture and Food. In view of the recent Organization for Economic Co-operation and Development report which indicated that Canadian agriculture subsidies are comparable to those of the European Community and that both Canada and the EC are supporting their farmers more than the United States, will the minister comment on this report and clarify the OECD estimates of government subsidies to agriculture?

Hon. Mr. Riddell: These questions by my colleagues, the earlier question by the member for St. Catharines-Brock (Mr. Dietsch) and this question by the member for Essex-Kent, are excellent questions. It makes me wonder just who the real Agriculture critics are.

Mr. Villeneuve: So was mine yesterday, and you didn't answer it, Jack. So where's the minister?

Hon. Mr. Riddell: I answered the member's question three or four times.

The Deputy Speaker: Order.

Hon. Mr. Riddell: I would dearly love to respond to the interjection by the member for Stormont, Dundas and Glengarry (Mr. Villeneuve) who has a mindset on one question.

As the member for Essex-Kent knows and as many farmers in this province know, world farm subsidies are plaguing international trade in agriculture, and I was very interested to read the estimates by the OECD. While there are some similarities in the levels of subsidies to agriculture in Canada and the European Community, it is incorrect to say that Canada spends as much as Europe.

I had anticipated that this kind of question might come from my opposition critics across the way, so I came here with some facts. Mr. Speaker, you might be alarmed to hear some of these facts.

In total, Europe spent roughly C\$37.3 billion in 1987 compared to \$22 billion for the United States and only \$3.4 billion for Canada. This does not include transfers from European consumers in the form of higher prices for consumer products. The EC subsidies result in a metric tonne of soybeans being priced at \$760 in Europe, compared to only \$254 in Canada; and for corn, the European price tops \$261 per metric tonne compared to about \$85 per tonne in Canada.

This is one of the key reasons Canada must insist that the world's leading nations address the

agriculture subsidy dilemma at the upcoming economic summit here in Toronto.

Mr. McGuigan: I thank the minister for those details. Can he comment on the effect on Canadian agriculture, and more specifically confirm that the nature of the support to agriculture in Europe has led to severe capitalization and other high increases to input costs?

Hon. Mr. Riddell: I will try to respond to that in six minutes.

The member is absolutely correct that there are numerous differences between Canadian and European farm subsidies. Our subsidies are less harmful than the subsidies in the European Community and they are very different. For example, the European Community subsidized its exports to the tune of \$15 billion in 1987, almost 40 per cent of the community's agricultural budget.

These subsidies, without a question of a doubt, distort trading patterns. Most important, I have to say that these subsidies do not necessarily benefit European farmers. In Europe, the benefits of price support have been directly capitalized into land values, making land gradually more expensive. In contrast—

Interjections.

The Deputy Speaker: Order.

Hon. Mr. Riddell: Let me say that, in contrast, Ontario agricultural policies are designed to stabilize farm incomes over the long term through such programs as tripartite stabilization, which is not capitalized into land values. There is where the differences in our programs are.

Our programs are also designed to address short-term and long-term and intermediate-term problems. Canadian and Ontario programs are generally designed to limit the risk of benefits being capitalized into land, prices of technology and other input costs. There are the differences.

Mr. Brandt: On a point of order, Mr. Speaker: If the Minister of Agriculture and Food wants to make a statement with respect to his portfolio, there is a time and a place for that in this House. To have a setup question and a setup answer that he reads out of his briefing book is an insult to this Legislature during question period.

Interjections.

Mr. Brandt: It took him five minutes to complete that little exchange.

Hon. Mr. Conway: I say to the leader of the third party that I do not believe the time involved was nearly of the kind that he mentioned; but I just do make the point in speaking to the point of

order, I say to the member for Simcoe West (Mr. McCague), that we notice on this side that lengthy preambles are certainly not entirely foreign to the opposition either.

The Deputy Speaker: New question, the member for Nickel Belt.

Mr. Laughren: It is always difficult to follow a clown act.

Hon. Mr. Riddell: On a point of order, Mr. Speaker.

Mr. Laughren: Will you tell the clown to sit down, Mr. Speaker?

The Deputy Speaker: Point of order?

Hon. Mr. Riddell: Yes, speaking to the point of order, Mr. Speaker: I just want to say that the truth sometimes hurts.

Interjections.

The Deputy Speaker: Order, please. Will we proceed with the next question?

Mr. Laughren: You are a jackass, my friend.

Interjections.

The Deputy Speaker: Order, please. Will the member withdraw that?

Mr. Laughren: I will withdraw the statement. I should have used the word "clown."

Interjections.

The Deputy Speaker: Order. That is unparliamentary. Will you withdraw that statement, please?

Mr. Laughren: I will withdraw it until I can think of a better, more appropriate insult.

PHOSPHATE DEPOSITS

Mr. Laughren: I have a question for the Minister of Northern Development, and I gave him a day's notice on this, so I expect a decent answer. Two years ago, the Minister of Northern Development commissioned a study into the viability of a fertilizer plant in northern Ontario using the sulphur dioxide from the smelters in the phosphate deposits near Cargill township.

The report that was commissioned indicated that it was a viable project but that a further study needed to be done. Would the minister bring us up to date on how much money he has spent on that second study and give us a progress report on that second study which has clearly been asked for by that commission?

L'hon. M. Fontaine: Monsieur le Président, je tiens à remercier le député de Nickel Belt de sa question.

First of all, I would like to say that this report came in officially in September 1987. It was

deposited and studied and then after that we had some public meetings on it in Kapuskasing and in Timmins, and the people from Sudbury were invited.

At that point, when the study was made of using the Cargill phosphate deposits in the Timmins area, this will cost about \$80 million if we produce phosphate in Timmins, which will be a return of 15 per cent on the investment for the mine and 13.5 per cent on the plant.

At this point, after we had some public meetings, I am waiting. I have not spent any money yet on the other study, because the government has to work with private industry for the second study. I am waiting for this. Timmins was ruled out at the Timmins meeting because the sulphuric acid is sold for the next 10 years. I told the people from the ministry to update the report and to look at Sudbury too. The consultant said that the other place should be looked at, and I guess they were talking about Sudbury in that report.

1510

The Deputy Speaker: The time allocated for question period has expired.

Mr. Harris: Mr. Speaker, would it be appropriate to add a couple of minutes to question period, given the prattling and rattling, and obviously things that were not points of order? Perhaps a couple of minutes might be appropriate. If you do not think that it is, I would ask for unanimous consent.

The Deputy Speaker: Do we have unanimous consent?

Hon. Mr. Conway: I have no difficulty with another round of questions.

The Deputy Speaker: Do we have unanimous consent?

Some hon. members: Agreed.

An hon. member: No.

Mr. Mackenzie: That's Polsinelli for you.

An hon. member: Who said that.

An hon. member: I said it.

Mr. Mackenzie: Polsinelli.

The Deputy Speaker: Order.

Mr. Mackenzie: Put it on the record clearly that he doesn't want questions in the House.

The Deputy Speaker: We do not have unanimous consent.

Mr. Harris: I recognize that we did not get unanimous consent, which is one of the ways to add time. If, in your opinion, sir, as Speaker, you felt the question period time ought to be extended

for some abuse, you have the authority to add two minutes to question period yourself. I suggest that you reflect on it.

The Deputy Speaker: The tradition is that I would ask for unanimous consent. If I do not have unanimous consent, I cannot go forward with that. I asked for unanimous consent and I did not get it.

Mr. Harris: I respect your advice, as always. You are saying you do not have the authority to do it. There have been occasions, probably 15 or 20 times in the past year, where the current speaker has taken it upon himself, when he felt there was an abuse of the rules of the place, to add time. I am suggesting to you that you do have the authority. If you do not agree with the one member who does not think there was an abuse, if you agree with the 129 who thought there was, I suggest you exercise that authority.

Hon. Mr. Conway: I would like to make it easy for the House and repeat to all here gathered, that if honourable members would like to add two minutes to this question period, I would be happy to encourage that being done.

The Deputy Speaker: Therefore, let us add two minutes to the question period. The member for Nickel Belt.

Mr. Laughren: My supplementary question to the Minister of Northern Development is: Given the fact that it was such a clear direction in that report that there be a further study done to determine the markets that would be available for the fertilizer, given the fact that Inco has to reduce its emissions by 265,000 tons by 1994, and given the fact that there is going to be demand for fertilizer and phosphate products by the year 1992, can the minister tell us why in the world he is sitting on this report and not progressing with a second report as requested?

Hon. Mr. Fontaine: First, I am not sitting on the report. It was made public at three meetings. We tried to get people interested in that report and we have not got any response yet. Still, I am not sitting on it, not like the member is sitting there. I am not sitting on that report and the member knows that.

Second, there is \$80 million to \$100 million involved. This government has no money to put in of that amount. If we are going to do it, we are going to do it with the companies in private enterprise. The government cannot do it alone because there were other plants before that which closed down. The member knows that himself. In the report—it is marked on page 214—when we look at the other side, the owner said it may be

attractive when all socioeconomic factors have been considered, and we are doing so.

OMAF NEWS

Mr. Runciman: I have a question for the minister who abused the House rules, the Minister of Agriculture and Food. Since I am going to have an opportunity for only the original question, I would like to ask him about the OMAF News.

I have looked over some of the Hansards of his comments in 1984 in respect of the OMAF News and his concerns about its being used as a propaganda vehicle for the Minister of Agriculture and Food. I am just wondering what his views are now. If members look at all issues in the recent past, we see the minister's picture front and centre and the minister's views on free trade. We do not see the positions of the official opposition or the critic from this party.

Will the minister tell us now what his position is in respect of the OMAF News and how much it is costing the taxpayers to run this propaganda machine for his ministry?

Hon. Mr. Riddell: As usual, the opposition members are incorrect. I read the OMAF News and I do not see my picture on the OMAF News all that often, mainly because I have asked that my picture not go on the OMAF News.

There has been a review done of the OMAF News. In other words, they surveyed a number of farmers to see if they wanted the OMAF News continued, and a large percentage of the farmers said they found the information very current and important to the farmers. They actually asked that the OMAF News be continued.

Interjections.

The Deputy Speaker: Order. The two extra minutes allocated to the question period have now expired.

PETITIONS

RETAIL STORE HOURS

Mr. Henderson: I have a petition which reads as follows:

"To the Lieutenant Governor and the Legislative Assembly:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas we strongly oppose Sunday openings, we believe that the Ontario government must act to maintain Sunday as a common pause day."

This petition is signed by 260 residents of Etobicoke and by me.

CUSTODY OF CHILDREN

Mr. Henderson: I have another petition, which reads as follows:

"To the Lieutenant Governor and the Legislative Assembly:

"We, the undersigned, beg leave to petition the parliament of Ontario and urge speedy passage of Bill 95, An Act to amend the Children's Law Reform Act. We believe that the emotional wellbeing of children with divorced parents will be significantly improved with the passing of this bill."

That is signed by 90 citizens of Ontario and by me.

MINIMUM WAGE

Mr. Morin-Strom: I have a whole bunch of petitions here from residents of the city of London, Ontario. I would like to read at least a good part of it into the record, because it is a new petition. It reads as follows:

"To the Lieutenant Governor and the Legislative Assembly of Ontario:

"We the undersigned, citizens of London, Ontario, and surrounding area forward this petition to the provincial government of Ontario.

"This petition is a demand for an increase in the minimum wage to \$6 per hour. Attached to this petition is a list of expenses for a single person without children who now earns wages at a poverty level.

"The provincial government increased the minimum wage by 20 cents an hour.

"There are no benefits for people who earn the minimum wage. You could, if you qualify, obtain OHIP assistance but that makes very little difference when it comes to buying food and clothing.

"The increase of 20 cents is almost insignificant and indicates that the government lacks compassion towards the working poor. These people who have chosen to work for minimum wage rather than collect welfare must have a great deal of respect for themselves and the people around them to do so.

"If you, as members of the government, cannot live on \$4.55 an hour, how can you expect the people who pay your wages to do so? The people who sign this petition employ each and every government member with their tax dollars. You were elected to help the people of Ontario. We must provide people on minimum wage with the human dignity they deserve.

"By resolving this most important issue, there would be a significant decrease in the number of welfare and unemployment insurance recipients.

At this time, some people on welfare and unemployment insurance receive more money than people who work for minimum wage. This provides them with no incentive to accept employment.

"I would like to quote our Governor General of Canada, who said in her annual New Year's message, 'Our land is rich; its future holds no bounds. Together we strive to consolidate our forces. Together we press on towards our objective, that of the common good.'

1520

"To increase the minimum wage to \$6 per hour would be a big part of that common good. People earning minimum wage or just above minimum wage have lost all hope and faith in their government.

"We ask that you, as government officials, figure out how you could survive on \$4.55 an hour. If it is impossible for you, as government officials, to afford the necessities of life on such a low income, then again, don't expect the people who help pay your wages to do so.

"We look forward to a prompt and significant resolution to this most important issue. When will the poverty of working people end? Thank you."

This petition has been signed by approximately 500 residents of London. I endorse it, I have signed my name on it and I present it to the government.

The Deputy Speaker: May I take this opportunity to remind members again that simply a brief statement of the nature of the petition would be more than sufficient.

RETAIL STORE HOURS

Mrs. Marland: I have a petition to His Honour the Lieutenant Governor which says, in part:

"I would like to add my voice to the growing concern over Sunday shopping. I strongly oppose Sunday openings. My concern is not Sunday shopping; I am concerned about working on Sundays. I believe that the Ontario government must act to maintain Sunday as a common pause day. The decision to remain closed and to enforce closings must be made at the provincial level." It is signed by Mr. Hammel at 1096 Welwyn Drive, Mississauga.

I have a second petition on the same subject, which I will not read in detail, in opposition to Sunday openings, over the name of Judy Beals at 1055 Shawnmarr Road. The same opposition to Sunday shopping is being expressed by Edna Fuller at 480 Lakeshore Road East.

Miss Martel: I have a petition addressed to the honourable the Lieutenant Governor and the Legislative Assembly of Ontario against Sunday work. It is signed by 20 employees of Gardner Motors (Sudbury) Inc.

If I can just read their final conclusions, they "urge the Liberal government not to proceed according to its recent statements of intent, but instead urge it to maintain and strengthen the Retail Business Holidays Act; to retain under provincial jurisdiction legislation regulating Sunday work hours; to not pass the buck to municipal governments on this issue; and to give effect to a common pause day for working people and working families in Ontario."

I agree with them and I have signed my name to this petition as well.

Mr. Philip: I have a petition signed by nine people who are residents of the riding of Etobicoke-Rexdale.

"To the Honourable the Lieutenant Governor and members of the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We believe in the importance of keeping Sunday as a common pause day so that all people may have physical, spiritual and social health. We are concerned about the quality of life and the wellbeing of the people of our province and we object to the further commercialization of life through the Liberal government's proposed Sunday shopping legislation."

I have signed the petition.

I have a similar, but much longer, petition which I have signed. It basically deals with the concerns about the possible erosion of family life as a result of the legislation introduced by the Liberal government and calls for the implementation of the report of the select committee on retail store hours. I have signed it.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON PUBLIC ACCOUNTS

Mr. Philip from the standing committee on public accounts presented the following report and moved the adoption of its recommendations.

Mr. Philip: I take pleasure, as the chairman of the standing committee on public accounts, in introducing what I think is an excellent report.

On February 22, 1988, the standing committee on public accounts questioned officials of the Ministry of the Environment on the auditor's findings of weaknesses in pollution control procedures and on the operations and deficiencies

in administrative practices. After extensive questioning of the ministry officials, the committee has written this report which makes a number of recommendations.

The committee recommended that the ministry provide a comprehensive response within 120 days of the tabling of this report today outlining its acid rain monitoring activities; develop a formal system and criteria to analyse and prioritize complaints; integrate its inspection activities into this system; review the allocation of its staff to ensure that an estimated minimum portion of its resources are devoted to proactive environmental control activities; and give the highest priority to the implementation of the municipal-industrial strategy for abatement; and in the interim strengthen its enforcement activities using existing regulatory instruments.

The committee also noted the ministry's commitments to improve its administrative practices and requested that the Provincial Auditor review performance in this area as part of his next review of the ministry.

On motion by Mr. Philip, the debate was adjourned.

STANDING COMMITTEE ON THE OMBUDSMAN

Miss Nicholas from the standing committee on the Ombudsman presented the committee's first report and moved the adoption of its recommendations.

The Deputy Speaker: Does the member wish to make a brief statement?

Miss Nicholas: I will take note that you said "brief," Mr. Speaker. This is the first report of a new committee and I am pleased to present it today. I think I can say we worked well in a very nonpartisan nature and were very productive. We have a number of recommendations in the report, 16 in all, but a number of them are adopted from previous reports—the 13th, 14th and 15th reports of the committee.

In fact, some of the recommendations have already been adopted by the government agencies, which have implemented them already. We have two outstanding cases that have to be dealt with by debate in the Legislative Assembly before they can be acted upon, so we hope it will be dealt with and proceeded with very quickly. I think I can say on behalf of all the committee members that we enjoyed our opportunity to present this report, to debate it and we look forward to its being debated in the House.

On motion by Miss Nicholas, the debate was adjourned.

MOTIONS

COMMITTEE SITTINGS

Hon. Mr. Conway moved that the select committee on constitutional reform be authorized to meet following routine proceedings on Monday, June 20, 1988.

Motion agreed to.

Hon. Mr. Conway moved that the select committee on energy be authorized to meet in the morning of and following routine proceedings on Wednesday, June 22, 1988.

Motion agreed to.

STATUS OF BILL Pr49

Hon. Mr. Conway moved that the order of the House of May 4, 1988, adopting the report of the standing committee on regulations and private bills with respect to Bill Pr49, An Act to revive Lebon Gold Mines Ltd., be rescinded and that Bill Pr49, An Act to revive Lebon Gold Mines Ltd., be recommended to the standing committee on regulations and private bills.

Motion agreed to.

HOUSE SITTING

Hon. Mr. Conway moved that the House not meet in this chamber on Thursday, June 23, 1988.

Motion agreed to.

Interjection.

Hon. Mr. Conway: I say to the member for Mississauga South (Mrs. Marland) we will expect her and all of us to be here Monday, Tuesday and Wednesday next week.

ACCESS TO INFORMATION

Hon. Mr. Conway moved that the matter of the Freedom of Information and Protection of Privacy Act and its application to members of the Legislative Assembly be referred to the standing committee on the Legislative Assembly for review and report.

Motion agreed to.

1530

INTRODUCTION OF BILLS

MUNICIPAL EXTRA-TERRITORIAL TAX ACT

Hon. Mr. Eakins moved first reading of Bill 159, An Act to provide for Municipal Taxes in Territory without Municipal Organization.

Motion agreed to.

Hon. Mr. Eakins: The purpose of this bill is to authorize the townships of Marathon and Manitouwadge to collect property taxes from the mining properties located in Hemlo.

The municipalities act as dormitory communities for the mines and, as a result, have experienced increased operating and capital costs. As members may know, these particular mines are located beyond the municipalities' boundaries and do not currently contribute any municipal taxes.

The proposal contained in the bill has been discussed with both the municipalities and the mining companies. I think this legislation will resolve the relatively unusual situation which exists at Hemlo.

CHARLOTTE ELEANOR ENGLEHART HOSPITAL ACT

Mr. Smith moved first reading of Bill Pr9, An Act respecting the Charlotte Eleanor Englehart Hospital.

Motion agreed to.

BUSINESS OF THE HOUSE

Hon. Mr. Conway: Before orders of the day, I would like to bring the members of the Legislature up to date on what it is the House leaders have decided. As I indicated in today's business schedule, there would be perhaps a change in the schedule. I would just simply like to report, and the table will circulate, the consensus arrived at in this morning's House leaders' meeting.

This afternoon we will conclude the debate on the second reading of Bill 113, An Act to amend the Retail Business Holidays Act, then proceed to second reading of Bill 114, the companion legislation, An Act to amend the Employment Standards Act. The debate on the second reading of Bill 114 is expected to conclude this afternoon, but divisions related to these two matters will be deferred until Monday, June 20 at 5:45 p.m.

Then this afternoon, as time permits, we will proceed with second reading of Bill 138, An Act to revise the Weed Control Act, then on to committee of the whole on Bill 100, An Act to amend the Education Act, with any divisions there deferred again to Monday of next week at 5:45 p.m. Again, as time permits, this afternoon we will proceed to second reading of Bill 132, An Act to amend the Mining Act.

ORDERS OF THE DAY

RETAIL BUSINESS HOLIDAYS AMENDMENT ACT

Resuming the adjourned debate on the motion for second reading of Bill 113, An Act to amend the Retail Business Holidays Act.

The Deputy Speaker: As I recall, yesterday we did not finish with the member for Mississauga West (Mr. Mahoney), who was in the process of making his speech. He has indicated to me that we should consider that he has terminated his speech. There are no questions and comments, from what I can understand, so by the normal rotation process we would be going to—

The member for Sarnia (Mr. Brandt)?

Mr. Brandt: I appreciate the member for Mississauga West terminating and allowing me to have the floor at this time with respect to Bill 113, introduced by the Solicitor General (Mrs. Smith) relative to the Retail Business Holidays Act.

I have listened to the debate very carefully in this House. For those moments that I was unable to be here I have, in fact, taken the time to read most, if not all, of the Hansard reports concerning the respective positions being taken by the various members of this House, and it appears quite obvious in listening to the position that is being taken by the government members that they feel, if you will, that the solution to the problem of controlling Sundays is what they have referred to as the local option, or local autonomy.

It is interesting that they should take that way out as it relates to Bill 113, because there is a vast body of opinion in Ontario, I say with respect to the Solicitor General and to her parliamentary assistant, that vehemently disagrees that the local option is the answer or the solution to what I agree is a very complicated and, I might say as well, a very controversial issue.

The Liberal position of passing on the option to make a decision in connection with whether or not a municipality will remain open on Sundays begs the question of what is the provincial responsibility in the overall maintenance, the overall retention of a certain style of life, a certain quality of life, a certain way of life that we have here in this province. It has been accepted in the past that the provincial government had both the responsibility and the authority to maintain control of Sunday as a particularly special day. That was confirmed by the courts and it has, in fact, been reinforced by the opinions and by the positions taken by a very large body of spokes-

men from right across this province who are well known to virtually all members of this House.

It is interesting that, prior to the election on September 10, the Premier (Mr. Peterson) made a statement—of course, we did not have an election pending at that particular time, I do not believe—I recall very clearly that the Premier made a commitment with respect to the whole question of Sundays in which he indicated that Ontario should continue to have a day of pause, a day of rest. We agree with that position, and I think if one were to ask the members on the government side individually what their positions are, a very large majority of them would agree with that position as well.

The question that we have between us, I say to my friends opposite, and the issue at hand is, what is the best way of handling this? I would remind the Solicitor General again—and I will use it only once—of an occasion when this option was proposed to her, prior to her being given this responsibility for this particular bill. She indicated without any equivocation whatever that to pass on to the municipalities the responsibility for controlling store hours and Sunday openings—

Interjections.

Mr. Brandt: You know full well what I am going to say, because it is deeply embedded in the murky depths of your heart, sir, and you have great difficulty in answering away a rather precipitate remark on the part of the Solicitor General when she perhaps had just come out of those committee hearings, when she was very well entrenched in the view and in the opinion that Sundays should be preserved, and said, "Well, for the province to pass this on would be the chicken way out." Now, all of a sudden, 94 of the members opposite no longer agree; 94 of them are consistent in the view that the Solicitor General was wrong then and is right now.

We happen to take the view—and I believe I can speak, at least on this issue and relative to this particular point, for all of the members of the opposition—that the Solicitor General was right before and is wrong now—a complete reversal of positions. But I might add that the Solicitor General—

Mr. Ballinger: And you have never done that.

Mr. Brandt: There has been no reversal of position, I might add, in connection with our party's position on preserving a day of rest and a day of pause on Sundays.

What we have Madam Speaker then, is a very fundamental disagreement on how government carries out its responsibilities in connection with a matter that we think is of very critical importance to this province: namely, what happens to our Sundays in the future.

The government takes the position that the municipal option will solve all problems because it effectively washes its hands of the entire issue. The government does not know what is going to happen after the municipalities are given the responsibility for making this decision.

Mr. Haggerty: You don't trust them.

Mr. Brandt: I trust the municipalities without any question. That is not at issue here. What is at issue is a province that says on one hand: "Yes, we agree Sunday should be preserved and should be in fact maintained for families and as a special, noncommercial day. We agree with that, but we are going to pass this on to the municipalities. Then in the future we'll have absolutely no control over it, and we don't really know what's going to happen in the days to come as it relates to their decisions."

Many of the members opposite who were municipal politicians—councillors, mayors and members of school boards—know full well that at a given moment in time, for various and sundry reasons that may come forward in terms of the pressure of the moment, perhaps because of economic interest, I do not know, but whatever those interests might be, these municipalities may well cave in.

Then we have the concern, which has been expressed by the municipal people themselves, and that is the domino effect will impact on this province.

Mr. R. F. Johnston: What is the domino effect?

Mr. Brandt: What is the domino effect, the member asks, did he not?

Mr. Ballinger: We didn't ask that at all.

Mr. Brandt: It was asked from this side of the House.

Interjections.

The Acting Speaker (Miss Roberts): Order.

Mr. Brandt: Those who are interested in getting to the core of this question have asked me perhaps to amplify if I could, very briefly, the whole question of what the domino effect is. The domino effect, very simply, is that the pressure brought about by one municipality in deciding to open on Sunday will certainly have an influence on a neighbouring municipality.

Members opposite may not want to take my word for that, and that may well be the position they want to put forward as it relates to why they are defending the municipal option as the solution, but I want to tell them they are wrong. Maybe it will change their minds, although I doubt it, because they are so ironclad in their belief that in some way this municipal option is going to do the trick in terms of preserving Sundays in this province. They are absolutely wrong on that.

They are so firmly fixed in the belief that if they vote for this legislation, Bill 113, in some way the Premier will recognize their acquiescence, if you will, to party policy in toeing the party line, that they are not prepared to break ranks when they know full well they are wrong on this issue.

They are wrong because even the municipalities—

Mr. Ballinger: Who said?

Mr. Brandt: The Association of Municipalities of Ontario. Here is the hypocrisy of the government's position. Listen to this hypocrisy.

Interjections.

The Acting Speaker: Order. The member for Sarnia has the floor. Would the member please continue?

Mr. Brandt: I am so delighted we have a reincarnation of the federal rat pack here with us, those members opposite who have frozen minds on this issue who insist on interrupting any element of logic shared by this side of the House.

The question was asked, why I am right on this and who has said in fact that the municipal option will not work? The municipalities themselves have very directly said to the minister and to her government, "We don't want the municipal option."

Here is the hypocrisy of the position the minister is putting before this House today. The hypocrisy is very simply this: The minister would like to stand up and state, and many of her members have stated on numerous occasions, that the municipalities should have some local autonomy, that the municipalities should have the opportunity to make local decisions, and we on this side of the House agree.

But they did not ask for this particular responsibility: they did not ask for Bill 113; they did not ask to be put on the hotseat as it relates to making a decision on Sunday shopping, but the government has passed it on to them under the guise, if you will, of some form of local

autonomy. I believe that to be a position which is hardly defensible in any way, shape or form.

Let me give you an idea, Madam Speaker, of the groups and the organizations which have stated very clearly their opposition to what the government is proposing to do.

First, we have organized labour, which has indicated it does not want the government to take this bill, pass it on in terms of responsibility to municipalities and then ultimately have open Sundays in this province which will force labour to work. It does not want that.

We have major church groups which feel that the very nature of our Sundays, the very quality of life we now enjoy in this province on a Sunday, is going to be very severely affected as a result of Bill 113.

Well, one can shake one's head and say, "That's not true," but it is interesting that almost every major church organization of every religious denomination has come forward and indicated it is in opposition to what the government is proposing to do. Include them with organized labour, include them with the Association of Municipalities of Ontario, include them, if you will, when—

Mr. Mahoney: They are not opposed to the bill; they are opposed to Sunday shopping.

Mr. Brandt: They have indicated they are opposed to this bill. I beg to correct the member on that.

I might add that those members who have any conscience whatsoever about the impact of this bill on small business may be interested to know that the Ontario Chamber of Commerce has come out against what the government is proposing to do.

The government may be interested to know that the business groups in this province are virtually unanimous in their view that this particular bill is going to erode what we now enjoy as Sunday, a day of rest and a day of pause. That is what is happening.

In addition to all of those groups—

Mr. Fleet: Nonsense. You're spouting nonsense.

Interjections.

Mr. Brandt: The members across shout "nonsense." I want them to know that it is not nonsense when literally thousands upon thousands of petitions were presented to this House virtually every week over the past number of months from people stating they do not want the government to do what it is proposing relative to

this particular bill. They do not want the government to do it.

What they have asked the government to do is to go about it a different way. If I may suggest this, I think it is irresponsible for an opposition just to stand up and say what it is against; I also think, in that context, it has to give the government some indication of what it is in favour of.

We happen to be in favour of treating this whole matter in a considerably different fashion from what the government is proposing to do. Certainly the present laws as they exist in this province are not as effective as they were perhaps one decade ago or two decades ago. There have been a number of individuals, a number of independent business interests which have challenged the current laws and have made them virtually unworkable in some instances.

On this side of the House, we have said: Do not throw out the law because some people are trying to find loopholes around the particular law which is in place at this time. Do not just reject the law entirely and throw it away. Find ways to strengthen the existing laws of this province. Find ways to maintain Sunday as we would like to see it maintained and as government members have stated and are telling their constituents they would like to see Sunday maintained: as a day of rest and a day of pause.

They continually go around the province preaching that particular gospel, yet they come back into this House knowing full well, my friends, that once this bill is passed, they have no control whatever over what is going to happen tomorrow. That then becomes the responsibility of another elected body: namely, a municipal council. They know that. What guarantee, what promises can they give to their constituents that they are going to fight for a Sunday that is not commercial? Absolutely none.

1550

That is the kind of guarantee they can give, because they have taken the easy way out on this whole matter and they have simply passed it on to another level of government. Well, I say shame. That kind of reckless behaviour, that kind of irresponsible decision-making on the part of this government is simply unacceptable to us on this side of the House. That is not the solution to the problem and it is not the way to solve the kind of difficulties that we are currently having with respect to open Sundays.

There are ways where an all-party committee could in fact co-operatively sit down and work out ways to strengthen—

Mr. Fleet: You haven't got any proposals.

Mr. Brandt: We could strengthen the tourist exemption section of the current act. We could do that very simply. There are all kinds of retailers—

The Acting Speaker (Miss Roberts): Order, order. I would ask all members to recall that this is a time when there should be no interjections. The member for Sarnia has the floor. I would request that the member for Sarnia make his comments through the Speaker.

Mr. Brandt: The government has proposed now that this whole matter be sent to an all-party committee of the Legislature. By the way, we will agree with that, just so that they know that we do not oppose every silly thing they do over there. There are times when we agree that the government makes a reasonably good decision with respect to some matters, and this is one of them.

They have, in fact, taken the advice of the opposition and have indicated that they will go to the people of this province to hear their views. I want to say that I support the government's decision with respect to that matter. I compliment them on doing the right thing in at least going to the people.

I want to predict, in advance of members touring in this particular committee and meeting with the people of the province of Ontario. I predict what will happen: They will have organizations, groups and individuals from across this province say very directly, first, that they disagree with the municipal option, second, that they feel that the provincial government is abdicating its responsibilities as it relates to controlling Sundays and the activities that go on on a Sunday and, third, that they want a day of rest and a day of pause. They are going to tell the committee that.

Working families, people from across this province, will come before that committee and will make it very clear that they disagree with what the government is doing. Government members can stand up and rant and rave and yell at those citizen groups when they come before the committee. That, of course, is their decision to make.

I only suggest that, when the committee starts travelling and when it does meet with the people of this province, I hope that it does not simply go through some form of window-dressing, some form of a sham of a committee, without listening carefully to what the people of this province want and without listening carefully to the input it is

going to have with respect to what they want to preserve in terms of Sundays.

If the members of that all-party committee will listen carefully, the report that they will file back to this House will indicate that Bill 113 should be scrapped. That is what they will indicate. They will make it very clear that it is unworkable, it is the wrong way to go and it will, in fact, weaken the kinds of controls that we have over Sundays at the moment in this province.

So I would ask—plead, if I might—with the members of the government, when they are on that all-party committee, to listen, absorb, hear and respond as elected members of this chamber who were put here by their constituents to reflect their views. I say to the government that the people's views are going to be very consistent, they are going to be very direct and they may even be somewhat harsh in terms of what they say. But they will make it very clear that they do not want Sunday shopping and that they do not want the municipal option in this province.

I want to say, on behalf of our party, that we intend to oppose Bill 113.

Mr. R. F. Johnston: What?

Mr. Brandt: This may come as a shock, but after careful discussion within our caucus, evaluating the merits of the bill very, very carefully and looking at what we consider to be the sensitivities on this particular issue, our caucus has been totally unanimous in its objection to what the government is proposing to do. It is our intention to fight this particular bill and vote against it, obviously, when it comes before this chamber for final resolution. We intend to do that because we believe they are going about it the wrong way.

It is interesting to note that the author of this bill and the minister who has been charged with the responsibility is in fact the same minister who sat on the original all-party committee and heard a number of deputations and delegations come before that committee with respect to this very matter. At the end of all those hearings, at the end of all that input, this minister—at the time a lowly back-bencher waiting for the call from the Premier's office, waiting patiently by the telephone, walking in lockstep with all the members of the government, making sure she did not vote against the government on any sensitive issues, even though her constituents wanted something else—this minister, at that time totally unshackled, totally unfettered with respect to any controls, and being a very bright, a very capable and a very able back-bencher, what did she do with respect to that report?

She signed a report that said—are you ready for this, Madam Speaker?—the same minister, I want to re-emphasize, the very same minister, now the Solicitor General but while she was more of a private citizen and reflecting the views of her constituents somewhat more accurately than perhaps she is today, signed a report that said we should retain a day of rest and a day of pause in Ontario. That was the bottom line, if one can believe that, of that committee's report.

Mr. Philip: I was there when she signed it.

Mr. Brandt: The member for Etobicoke-Rexdale (Mr. Philip) says that he was there when that member signed it, so he is prepared to undertake to verify the signature of the minister.

Now, I see nothing inconsistent about that, I say to the minister's parliamentary assistant, who is smiling in the back row, waiting for the opportunity to lunge forward and grab a chair that is a little closer to the front. There is nothing inconsistent about the position taken by that private member at that point, because it was her Premier who said he too wanted to preserve a day of pause and a day of rest in this province, and we all shouted with one voice: Alleluia! He in fact is going to carry the banner and he will go through the election on September 10 and he will fight, as the Leader of the Opposition (Mr. B. Rae) knows, as he has fought against free trade. He will fight to preserve Sundays in this province as a day of pause and a day of rest.

There happened to be some very fundamental change that took place in the Solicitor General (Mrs. Smith), a very fundamental change that took place with respect to the Premier's position and, of course, now we have 94 members who are all marching to the tune of that one drummer, the man who sits in the front row directly opposite me and who serves as Premier of this province, who has said, and I am sure this has gone through his mind:

"This is a hot potato we cannot win with, because there are some people who would like to open up on Sundays and break the rules as they relate to provincial laws at the moment. We cannot appease that group. Yet there is a group over here that says it wants to preserve Sundays. How do we extricate ourselves from this dilemma? What do we do in order to keep the popularity of the current government? What do we do to get off the hot seat on this issue?"

Then the light went on in Hershell Ezrin's office. Late one night Hershell Ezrin walked in and said:

"Premier, I have an idea. What we can do is to talk about the importance of a municipal option.

We can talk about local autonomy and tell the municipalities what a favour we are doing for them. We will give them the responsibility and then what will happen, you see, is that all those local citizens, all those people who reside in those communities will say, 'Mayor, why did you decide to open on a Sunday?' and 'Members of council, why did you allow the Sundays that we have enjoyed traditionally and historically in this province simply to be frittered away in some fashion without concern for what that will do for the quality of life in Ontario?'"

1600

Where will the provincial government be in all of this? They will be standing with their noses firmly pressed to the window, looking in and saying: "It is not our responsibility. We passed that on to the local municipalities." I say to them that is not good enough; it simply is not.

The minister is abdicating her responsibilities as they relate to this issue, and she knows in her heart of hearts that either she is wrong now or she was wrong when she signed the committee report. She cannot have it both ways. She had to go through some kind of a metamorphosis. She had to go through some kind of change.

Mr. Eves: It was called appointment to cabinet, I think.

Mr. Brandt: My colleague the member for Parry Sound (Mr. Eves) reminds me this may have had something to do with an appointment to cabinet. I would not link it in that way. I do not think that is fair or reasonable, because I have nothing but the highest regard for the integrity of the minister. But I would like to say that something changed. Something changed in the position of both the Premier and the minister, and I would say that this something changed in the wrong direction.

Our party—and I want to say this in a very serious way—feels strongly about, first, the responsibility of the province in controlling the whole issue of Sunday activities. Second, we oppose the local option that the government suggests is the way out of this particular dilemma.

Third, we feel that this government, in whatever fashion it cares to bring forward some alternative legislation, has a responsibility to bring before this House workable legislation that will preserve Sundays as we have known them and as we intend to maintain them, if we can, as members of the opposition, since we plan to continue to fight what we believe is the wrong direction and the wrong decision on the part of this government.

I ask the minister, I plead with her, to review that legislation carefully, to go back and talk to her constituents, and not to simply tell them that this legislation does not force them to open on Sunday, not to look at it from the standpoint of belittling the intelligence of the people whom she was elected to serve.

I am not saying to her that because of Bill 113 any municipality is forced to open on a Sunday. I am not putting that proposition to her at all. I do say this, however: The government loses control as a provincial body. It loses control when Bill 113 is passed. Once having lost control, it then becomes a municipal option to make a decision.

Forget what I have said for the moment. Listen to the voice of the municipalities that have said very clearly that the domino effect will set in and the pressures will be on, economically and otherwise, to open up across this province.

The government will be helpless to do anything about it at that time, and that is the part that concerns us, I guess: not only that they are abdicating their responsibilities but also that they will be helpless to do anything about it. The province will have simply shunted this thing on to another level of government as though that level of government would be in a better position to make a decision with respect to Sundays than the government of Ontario.

I do not accept that argument, I do not accept that position, and our party does not accept that position. That is why we feel that we are speaking for the majority of the citizens of this province when we say very clearly and very directly that Bill 113 is wrong. The direction in which they are heading is wrong, and I just suggest to them, well in advance, that we intend to fight the direction that this bill is taking every single step of the way.

The Acting Speaker: My understanding is that there has been agreement with respect to the government House leader and all House leaders that there will be no 10-minute period for questions or replies. The honourable Leader of the Opposition.

Mr. B. Rae: I am delighted to participate in this debate. I want to say that it has been a long time coming and I very much appreciate the chance to speak once again in the House and to summarize the views that I hold on this issue and that my party holds on this question and to deal as well with at least some of the arguments that have been made in the course of the debate and to try to summarize them and respond to them.

Of course, they arise not only out of this particular debate but indeed out many of the

arguments that have been made. The member for St. Andrew-St. Patrick (Mr. Kanter) has been particularly energetic on this question in putting forward some views which I will deal with. The Attorney General (Mr. Scott) has been making his views known for a number of years on this question and, of course, we have had the views of the Solicitor General.

I am referring now to the 1988 version of the views of the Solicitor General because, frankly, one would need to have a complete case of amnesia not to recognize that the views of the Solicitor General have changed rather dramatically as her rise to power in the Liberal Party has evolved. There was a time when the Solicitor General had a very different view from the one that she is expressing today.

We all respect the right of members to change their minds. This is a long-honoured right among members of the Legislature, as it is among individuals. I think we are also allowed to point out precisely when these changes occur in the life of an honourable member.

I do disagree with one point that the leader of the Progressive Conservative Party made. That is his attribution of the change of heart on the part of the Liberal Party to Mr. Ezrin. My analysis is somewhat different, because I can recall, not full-blown speeches, but small asides from the Attorney General, such as he is wont to make from time to time in the House, the occasional heckle or jibe or slight expression of unhappiness with a particular problem.

I do not say this in order to make members of the Conservative Party feel uncomfortable, but I can recall when there was some question as to what the position of the Conservative Party was going to be. The former member for St. Andrew-St. Patrick, Mr. Grossman, raised, as leaders do from time to time, a small flag on this question of Sunday openings, which he had to pull down almost as quickly as he put it up. This happened to me more than once, so I do not mind it. I gather he lost the last election. I think he is doing a lot better, in some senses, than many of us. However, these things are all relative, depending on one's definition of winning and losing.

But I can recall the Attorney General's saying as long as three years ago, "Why do we have the same law in Toronto that we have in Orillia?" He raised the question of the local option, I think, in conversation with me but also in the House.

I say to the leader of the Conservative Party that my reading of what has happened is simply this. The Attorney General has, throughout the

piece, had a view of what eventually should transpire. Other members of the government may have shared this view. I understand the Treasurer (Mr. R. F. Nixon) is one of the people who expressed this view in cabinet. I think one of the things that also happened is that apparently the officials went to the government after the last round of dealing with the question of the reform of the act and, in what I would regard as a rather haphazard manner, the government spokesman said: "Is this the best you can do? Can we get out of this? What is to be done?"

The answer was: "Well, if you can't redefine or change the tourist option, then we've got to go to the local option. It's the only way to do it." Suddenly it became public policy. It was sprung on us as a well-thought-out position of the government of Ontario.

It was not well thought out. It is not a thoughtful approach and it is not going to work in the province, unless you really believe, as some members of the Liberal Party really believe, that in fact stores should be open on Sunday. What I want to suggest to the members of the Liberal Party is that they are not being very straightforward with themselves or the public in refusing to debate this issue as a question of what they think should happen.

I happen to know that the member for St. Andrew-St. Patrick is obviously one who believes that it is a natural evolution of events from taking a streetcar on a Sunday in 1927, or whenever the hell it was, to going to a movie on a Sunday in 1943—and we had the long list of things that he read—to now. In 1988, it is the modern and contemporary thing to do to have stores open on Sunday. It is what the modern yuppie family wants. It is what the trendy way of the world should be. This is what should transpire and this is what should happen.

If the government of the day had the courage to say that, I would say, fine, let's have a debate on the question of whether Sunday should be a day which is a commercial day like any other day or whether we should recognize that one day of the week should be a day of common rest and common pause as much as is humanly and practically possible.

1610

I want to say very clearly that I will speak personally and also on behalf of my caucus because we are all of more or less the same view on this question with some varieties of opinion, as they are expressed from time to time within a caucus. I can say quite honestly I am not an ideologue on this question, nor do I come to it

from a sense that Sunday is a common day of religious expression and that is the reason it should be preserved.

I have a much more practical sense as to why this issue is important and why it has assumed the importance that it has. It is simply this. We live in a world where more and more people are having to work longer and longer hours in order to make ends meet. Many of my constituents who 10 or 15 years ago would not have had to work are working now. Many of them are working longer hours than they were working 10 or 15 years ago. For that reason, the pressure to work on a Sunday and the pressure to be away from the family is growing all the time.

There is much sentimentality expressed in our culture about the family. I do not intend to engage in more of that than I absolutely have to. But I do think that if any of us were to ask ourselves what is the one institution in our society that we would want to try to sustain, as well as the rights of the individual, it would be the family. It would be our right and our chance or opportunity to be together, to spend time together and to spend time free from the pressures of the marketplace and free from the pressures of the the commercial world, a time when we can be together. It is not only a value in our culture as Canadians. It is a value in the cultures from which many of us come. It is a value which has profound importance in a great many communities which make up the Canadian community.

If I can speak personally again, on a Sunday afternoon I can go and visit my constituents whose homes may have been in Italy or in Portugal or in many, many other parts of the world, but I will mention those two cultures particularly, and know full well that if I go there on a Sunday at 12 o'clock the whole family will be there. It is a family event. People come at 12. They stay until six or seven in the afternoon. The kids come. The grandparents are there. The whole family is together.

This is not a Norman Rockwell picture I am painting. It is the picture that I see in my constituency with my own eyes. They invite a person in. We have a glass of wine. We take some time. We discuss problems. If I am there to work out a particular problem, if I am lucky, I will get away in half an hour or an hour because the hospitality is extended and because it is a wonder to see the family come together on that day.

I am not suggesting for a moment that, were this law to pass, those events would no longer

take place. What I am suggesting is that they would be made more difficult and restricted. Some members would be away because they were working, because they had to work, as is the case now. If one of them is a policeman or one of them works in a hospital or one of them works somewhere else, he does go away and is away.

Let's not pretend for a moment that is not a burden. Let's not pretend that is some common good that needs to be shared throughout our society. Let's at least have the honesty to recognize that in our society people who have to work on a Sunday are giving up something a little different from people who have to work on a Thursday or Friday.

I believe that is a fact of contemporary life. The first argument I hear is made in defence not of some monstrosity or some joke called a local option, because it is a joke—I am going to come to that in terms of my second argument—but simply in favour of the principle of Sunday opening, that it is modern, that it is contemporary, that it is commercially successful, that it is the way to go and that it is the way the world is working seven days a week, 24 hours a day. "Let's keep the stores going. Let's keep them open. Let's keep all those options available. Let's give that right to the individual to shop whenever he or she wants."

I must confess I do not regard that as a contemporary or a particularly modern notion. There is nothing contemporary or modern about it. It is, if I may say so, a very old-fashioned, commercial Victorian idea that people should be working 12 hours a day, 7 days a week. It is not a modern doctrine at all. It is a very old-fashioned doctrine and a very vicious doctrine.

Surely, if one genuinely wanted to be modern or contemporary, one would be talking about ways we can ensure that people should be working less. I believe profoundly that people should not be working for as long, for as many hours as they are being required to work today. I believe profoundly that we should not only be talking about making Sunday a day of rest; we should be talking about making Saturday a day of rest.

We should be talking about reducing the number of people who have to work at night, the number of people who have to work shifts, the number of people who have to work difficult hours and the number of people who have to work 50 and 55 hours in order to make ends meet. As a modern, industrial society, we should be addressing the fact that if we are serious about maintaining a sense of freedom and decency we

have to deal with this question of working time and working hours.

One of the first questions I asked in this House six years ago dealt with this question of working time, the fact that families are being forced to work longer and harder hours in order to make ends meet in our society. More and more people are working overtime. More and more people are working part-time, because that is the only kind of work they can get. They add on, they work and they work and they moonlight. They do work here and they do work there. Why? Because they do not get paid enough.

It is not because of some Calvinist urge, that they think it is good for their souls, that they have to get out there and sweat 12 hours a day. It is because they have to, because they have no bloody choice, because they make \$4.50 or \$5 an hour, because they have a family, because they have to pay a rent that is going up faster than they can keep up with and, if they have a house, so that they can keep up with the mortgage. It is impossible.

The first thing I want to say is when members of the Liberal Party talk about modernity, all I can say is if that is their vision of the noble city, they can have it, it is theirs. They can flog that commercial doctrine, that it is somehow trendy and contemporary to work 12 hours a day, 7 days a week. I will say quite frankly I do not regard it as restful to go shopping with my family.

I say to Mel Lastman—I know he has a long history in retail—believe me, when you have three kids and you are going through a store, it is not particularly restful to go shopping with them. It is not the most restful form of activity. I am quite honest. If I again can speak very personally, if I want to rest and spend time with my kids, focus on them, talk to them and share jokes with them, I do not want to go to a store and have the kids come up and say, "Let's get this, let's get that, let's do this." It is a different attitude.

If we can provide convenience for people, great, let's provide convenience, but not at the expense of this notion, this idea of a common day of rest, of a common day of pause. That is the first thing I want to say. I would ask members to think about what modernity is all about, think about what it really means to be contemporary. Sometimes passing trends and fads are not really what it is all about. Sometimes there are values which are even more contemporary than that, such as the value of spending time with family.

I would suggest that those of us who have been talking about this issue are going to find that more and more people are going to really think

about it, think about what a modern, industrial society is going to look like. It seems to me to be a society in which we put some premium on the time that we spend away from work and some guarantees that we are going to have that kind of protection and some kind of benefit.

The second argument that is made is it is a local option, it is only a local option. This is, if you like, the weasel section, which is used by those members of the Liberal Party who, as the leader of the third party has been saying, have been going around saying to their constituents: "I'm not in favour of Sunday shopping. If I thought this bill was going to introduce Sunday shopping to Guelph or to Orillia"—or wherever it may happen to be, wherever they are on that particular day—"I wouldn't be in favour of it. All I'm in favour of is the local option. All I'm in favour of is the municipality making up its mind in its own way."

The first argument against that, I want to suggest, is that this is not a totally honest description of the position of members. In fact, many of the members of the Liberal Party are in favour of openings on Sunday and are in favour of wider commercial practices on Sunday and that is why they are in favour of this legislation. As I say, if that is what their position is, let them come out and say that is what they are in favour of. There is nothing wrong with it.

It is a perfectly defensible position, in the sense that it is certainly respectable. I suspect it is sustained by a large number of people in the province. Several million people in the province would probably say: "Sure, I want to shop on Sunday. Let me shop."

1620

I think the majority of people are opposed. That has been my sense and continues to be my sense, but I think there certainly is a substantial number of people who are in favour of it.

The second thing that is problematic about the local option is that it is going to produce far more widespread Sunday shopping than the majority of people in this province really want to see.

I would argue that what we are going to find, and the member for Sarnia (Mr. Brandt) has already spoken about this, is a domino effect. I will say that I think it is ludicrous to argue against that. If the region of York, north of Toronto, decides it is going to have Sunday openings in response to a certain degree of pressure, all the commercial lobby in favour of Sunday openings has to do is find one municipality in the Golden Horseshoe that is prepared to go along, one regional government that will buckle and knuck-

le under to the pressure. That is all it has to find—one.

Then what will the impact be? Every merchant in areas adjoining places that are open on Sunday will come and say: "Look, I am being prejudiced against. My market share is being affected. I cannot do this. I cannot spend the time. I cannot do it. I am not there."

I say to members opposite that I think it is ludicrous to argue that there is no such thing as a domino effect. The domino effect worked in British Columbia. The domino effect worked in Nova Scotia. It is precisely why, for example, Nova Scotia, having passed the law in one year, a year and a half later decided to repeal the law and bring in a tougher law with respect to Sunday openings, which is now in place in Nova Scotia.

The point I am making is this. You cannot pretend that a commercial decision of this magnitude is simply a local decision. I say, as a social democrat who looks at the marketplace sometimes askance, that is not the way the marketplace works. That is not the pressure of the market. The pressure of the market is that people are going to say: "We can shop here, but we cannot shop there. What is the logic of your closing when this place is opening?" So we will have steadily across the province, in response to this market pressure, a demand for more and more openings for longer and longer hours, for wider and wider access to Sunday shopping and to Sunday working.

I say to the members opposite that there will be no stopping it. Again, people say, "If the majority of people want it, why shouldn't they?" The whole point is that the majority will not necessarily want it, and the pressure to have it will grow not because it is an expression of individual or community wants, but simply because it is what the marketplace dictates and what the marketplace will demand.

If I may say so, and I say this without wanting to be critical of another level of government, I think it is fair to say, as a matter of sociological fact, that municipal governments have been less successful in resisting the pressures of the marketplace on their political systems than other levels have been. I think that is just a fact of life. If large shopping plaza owners decide that they are going to exercise tremendous pressure on a municipality, if they say, for example, "We will open here only on condition that you develop a different policy on Sunday shopping," that is an extraordinary pressure to put on a municipality.

The weakest points in the chain will always be broken by those who have a benefit to be gained

by opening on Sunday. Once that chain is broken, it will become more and more difficult to stop the flow.

If we are going to stop the flow, the best and most effective way to do it is for this House to determine how much activity of a commercial kind do we want on a Sunday and to say that, as a group in this province, these are the rules of the game and these are the rules we expect to be lived up to.

[Applause]

Mr. B. Rae: I thought you were dead back there.

[Applause]

Mr. B. Rae: The third point I want to make, and this is the final point—

[Applause]

Mr. B. Rae: I thought it was a good speech.

This is even going to get applause from Liberals. The third point I want to make is that the Liberals have argued that this law is more rational and that the current law cannot be enforced. That is the argument that I think is the key to the position the Attorney General has taken.

Mr. D. S. Cooke: Even though he says there is no change.

Mr. B. Rae: My colleague the member for Windsor-Riverside, who has come to life, says it is a law that cannot be changed.

Mr. R. F. Johnston: His lips were moving, anyway.

Mr. D. S. Cooke: No, they were not. It was just voice.

Mr. B. Rae: Just voice, voice over.

That argument, if I may say so, is just about the stupidest argument I think I have heard from the lips of the Attorney General. I ask members to think about it for a moment. First of all, the government says, "We are going to allow all municipalities to pass their own rules, and they can pass whatever rules they like. If Metropolitan Toronto wants to say that stores on the east side of the street can be open but stores on the west cannot be open, it can do that. If they want to say that stores above a certain size can be open but other stores cannot be open, or if they want to say that certain stores can be open on every other Sunday but other stores have to be open on the other Sunday, they can say that. We have given the power to municipalities to do whatever they like."

Then the Attorney General says, "And this makes the law more enforceable." Members

should think about that thought for a moment, sustain it in their heads for a second, and at the same time think of the realities of those stores owners who want to stay open regardless. Let me suggest that Mr. Magder, whose name is well known to members of the House, who is an individual who has challenged the law consistently, is not going to be satisfied with any law in Metropolitan Toronto that does not give him exactly what he wants, because Mr. Magder believes he has a right to be open on Sundays, that it is his commercial right, and he intends to exercise that, come hell or high water. He has made that very clear.

I might add that this law, in its entire stupidity, also allows the municipalities to set the level of the fine for stores that are going to be deciding whether or not to comply with this legislation. If they want to make it a scofflaw in Mississauga, they can make it a scofflaw in Mississauga. If they do not want to make it a scofflaw in Metro, they need not make it a scofflaw in Metro. The idea that somehow a store owner who is bound and determined to break whatever law is there, whether it is a municipal bylaw or a law of this province, is somehow going to say: "Now that this option is being exercised by Metro, it makes sense to me entirely and, of course, I will comply with whatever Metro says" is an absolutely ludicrous argument.

What makes it even more ludicrous is that people who are now opening in Metro will say: "Look, it's silly, because if I were in York region, I would be able to open. But I am not in York region; I am in Metro." That is another reason the law is unfair, and we will have another set of Charter of Rights arguments going up the scale. The lawyers will make a killing out of this thing, but it sure is not going to do anything for the enforceability of the law. It is going to make the law a joke.

The Attorney General has done more already to make the law a joke than any other civilian in this entire province because of his unwillingness to enforce the law as it was and as it is now.

The argument that somehow this monstrosity of illogic, this patchwork put together here, is somehow going to be more enforceable than what we have now is simply false. It is so obviously false that I am sorry I have to spend time dealing with the argument, but I feel I do.

What the government has put forward is as unenforceable as any law imaginable in this province. I say that because it is based on the premise that there will always be some store owners in our society who think they have this

fundamental right to operate whenever they want to operate.

I say to the Solicitor General that one of the results of the committee inquiry, which my colleague from Etobicoke was so active on, was simply to say: "Then let's make the fines real, and if the fines are real, let's enforce those fines. Let's remind ourselves, after all, why we are scuttling around embarrassed about a law which the Supreme Court of Canada in a very recent decision has said is constitutional, OK and in keeping with the Charter of Rights and Freedoms and entirely within the jurisdiction of the provincial government to legislate.

1630

If the Supreme Court of Canada had said to us, "There's a problem with this law, you're going to have to deal with it," I could understand the panic. If the Supreme Court of Canada had said it was not fair or was not going to operate correctly, I could understand the panic.

What I do not understand—it seems to me that my describing the law as stupid has had some problems in translation. I do not know whether that is the case.

But that is not what has happened. The Supreme Court decision said that it was OK, said that it was in order, said that there was no need to respond in that way.

What I want to suggest is that the arguments that have been put forward by those in favour of this legislation just do not hold water if one is sincere in wanting to maintain a common day of rest in this province. For those who do not think that such a common day of rest is important, all I can say is that we have a very real difference of opinion and I think if we were to have a totally blind vote of members in this House on the question of whether there should be a common day of rest, I do not think there is any question; we would win. I do not think there is any question about that.

I suspect that when the Minister of Agriculture and Food (Mr. Riddell) goes back to his constituency and talks to people about whether Sunday should be treated the same way as Friday, they would tell him that is not the way things are done, that is not the way it should be, that is not their commonsense judgement. I suspect that most members of the House, when they go back to their ridings, are confronted with the same reality of how people feel on this question.

I think the Solicitor General, the Premier and the Attorney General have made a mistake. I really do. I think they have a big majority and we

fought very hard to get this out to committee and all the foofaraw that went on before with the petitions was simply because it was our view, as a caucus, not that we wanted to simply obstruct the business of the House, but that we really do feel the government is making a big mistake and that, having made this mistake, it is going to be difficult to undo—not impossible, but difficult—for the simple, practical reason that once a commercial activity is present in the marketplace, it is more difficult to close it than it is to stop it from opening in the first place. That is just a commercial reality in terms of the way, again, the world works.

I think they are making a mistake. We intend to fight them on this issue. We intend to give the people an opportunity, through the hearings process which will be going on this summer, to express themselves and to take those views to the committee.

I am a realist. We know that when a Premier has in a sense said, "This is it, this is my position, I don't want to be humiliated or embarrassed by having to change my mind," all I can say is that I hope the government listens to what it is being told by the community. It is not a unanimous view and it certainly is not a view that one can say is one that is shared by every single person in this province, but I would suggest to the government it is a view held by a majority of people in terms of what public policy makes sense for this province in 1988.

That public policy is a law that says that, as much as possible, Sunday should be a common day of rest, a common day of pause for the working people of this province, and the provincial laws should be designed to implement that desire and that goal of public policy. That means that our labour laws, our commercial laws and our retail shopping laws should all reflect that view.

I hope very much that in fact will be the view which ultimately prevails.

Hon. Mrs. Smith: I am happy to be here today to do the windup speech on behalf of the government.

Recently, I was attending dinner with the firefighters' association and a professor of economics was there. They presented him with a plaque which had engraved on it a saying he used in helping the firefighters' association in drawing up its laws and so on. He apparently used it all the time, so they had it engraved on the plaque because it was so illustrative to him of what was necessary for good legislation.

As I listened to the members opposite, and to my own party's members, I often thought back to his comments and have decided to share these with the House, and to look at the comments that have been made with these guidelines, that he has given, in mind.

He said the three things one has to ask about legislation are: first, whether it is morally acceptable; second, whether it is legally defensible, and, third, whether it is realistically pragmatic. I would like to deal with the comments and the bill itself with these three guidelines.

First, is it morally acceptable? We can look here at a long history that relates to commercialism and retail shopping on Sunday that goes down through the ages. In the last part of the last century there were, indeed, such strict laws put in place that a person could not take trains, streetcars or boats. One was expected to live life in a very confined and narrow way. This was their view, at that time, of family values and family lifestyles. In fact, the courts in 1905 said they had gone too far, that they could not enforce, legally, such a strict lifestyle in the whole of a province because some held these views. So they did away with all those rules.

In a retrenching, then, the groups that felt very strongly about the legislating of these kinds of values put together the federal Lord's Day Act, in which, once again they put forth the view that nobody could attend upon anything where a fee or a sum of money was charged, except going to church. This, indeed, became the rule for quite a long time.

By 1922 there began to be a bit of a breakdown in these interpretations of how a state or a province must enforce lifestyle regulations on to its people. There was one day's rest in seven and we began to see changes coming about. Of course, for better or for worse, depending on one's point of view, the biggest changes occurred during the Second World War. The war presented our society with a completely new set of circumstances and exemptions were made. Soldiers, sailors and airmen were allowed to go to movies.

Now, one could say that this was because they were away from their homes and, therefore, the home values were not there. That may or may not have been the feeling. One way or another, it was a very, very popular move and one that left its mark on those people.

Industry, of course, started going at a seven-day-a-week pace because of the need to provide tools for the war. This, indeed, is still with us in many industries today.

Through all of these changes, gradual or more sudden, and through all of the present changes, there has always been this same constant crying out from church groups and more rigid groups: "You are destroying the morals of our people. You are destroying our values. You are destroying our way of life." This is nothing new. This has happened with every change that has come about.

So, these gradual changes came, and more rapidly after the war. I think we know them all. They have been well outlined here. As they came there was the constant battle against change. I am saying that these were honestly held views about family values, about what were considered moral issues. In fact, they were not necessarily about legal matters.

The members opposite speak constantly about the breaking down of moral values and lifestyles. I question whether the changes that have gradually occurred in society are necessarily a reflection of these kinds of breakdowns. In fact, paralleling this change, the increased openness which has come since the turn of the century, we have had a society which cared a lot more about its morals and more fundamental things, such as decent pay, such as care for children. We had the children's aid societies come along; we have had health care; we have had a society which very strongly puts forward its moral values through its laws, and its moral values of sharing and making life good for those in our society who need the assistance of others.

1640

I do not see this change in our society, those changes we have talked about, as being a falling apart of society; I wish to say that very strongly here. We had, even today, the member for Sarnia saying, "Please, please preserve our Sundays," but I would ask that member whose Sundays we are to preserve: The moral values or the Sunday that presents itself in Temagami, the Sunday we could be preserving in Sault Ste. Marie, or the Sunday in London? These are different Sundays, and this, as I will point out, is the essence of the problem. We do not have a province which has one face and one Sunday.

It is my intention to address the changes at another time; I will cover these things. I would point out that changes, to some extent, have come upon us in gradual degrees over a long period of time. In 1950, Les Kingdon, who was the head of the Lord's Day Alliance of Canada of that time, said the coming of professional sports was "a gravestone for church Sunday observation." In fact, though people have looked for it

and have tried to measure it, we can find no statistics which prove that Sunday opening or nonopening has an effect on church attendance in any way whatsoever. We have the opportunity to see that, because we presently do have places that are open and places that are closed. Church attendance does not seem to be affected.

Mr. D. S. Cooke: That is not the point.

Hon. Mrs. Smith: I agree that is not the point, but many people have made it. The member for Wellington (Mr. J. M. Johnson) raised it; the member for Welland-Thorold (Mr. Swart) is concerned that we are cutting into the traditional religious values of our society. The member for Timiskaming (Mr. Ramsay) pointed out that his area has been open for a good while and that he strongly resents any suggestion that family values, morality, ways of living are any different in Temagami from what they are anywhere else. In fact, because many of our open areas, our tourist areas, are somewhat less affected by modern stresses on society, you might say, you might find that family values and church attendance and lack of crime are stronger in these areas than in the closed city, where stores are not allowed to open.

For myself, I can remember, as probably others can, the closed days of my childhood. I can remember my father saying to me, "On Sunday, you go for a walk," and I went for a walk with him. I cannot say it was a soul-lifting, family, enjoyable event. I think he thought it was his duty to take us and we knew it was our duty to go, and it was a very miserable family experience all around. At a later time, I was privileged to go to Loretto Abbey, where the nuns lined us up in black uniforms and white collars and we took a Sunday walk through the neighbourhood. It may have been wonderful in their view; I do not know that it did much for my moral edification.

My husband recalls that at that time, in the name of family values, in the name of proper standards within a community, we were not allowed to play ball in the park. No tennis nets could be put up in the parks of this city, because, somehow or other, it would eat away at family values.

There are some things that come closer to moral values that I will touch on in this bill. First, I really did at the time of the select committee—and the Premier shared this conviction—have a good deal of concern, particularly for single-parent families, usually mother-led, single-parent families. This was an issue that did concern me—and many of the members speaking opposite spoke to this issue—that for them the

problem was not so much the breaking down of values because people would go and shop on Sunday, the problem was really for those who had to work on Sunday.

It was for this reason and because of this concern for these people that my colleague the Minister of Labour (Mr. Sorbara) will be introducing Bill 114, which will indeed protect this very group of people, not only those who will now be required to go to work on account of this bill but also it will protect, as well, all those who are currently working in the retail business. Therefore, it is a great step forward in fairness for them.

There are three aspects, however, in which I think, if we can talk about morality, this bill is much more moral than the present situation. First, it introduces new religious freedom and recognition of religious fairness for observation of religious days other than Sundays. An owner of a store of any religion may indeed close for the day of observation of his or her religion and then open on Sunday.

This is a broadened extension of the old bill. It is fairer. It covers not just the two groups that were looked to in the old bill, which were those groups that celebrate on Saturday, but recognizes that the courts will probably, in that case, soon be called upon to recognize the rights of other religious groups too. That is done in the bill. We extend more fairness to these groups by saying, "If, indeed, you have closed on your own Sabbath, then you can open on Sunday without size restrictions and without restrictions on numbers of employees. If a big store closes on Saturday, that big store, in justice, should be allowed to open on the Sunday just the same as the small store.

We have worked to achieve more fairness for merchants because many of the abuses were creating great unfairness for the merchants who did not abuse. People took advantage of the situation, so that we had big so-called drug stores opening up and selling hardware and clothing, whereas a store beside them could not open and sell those same things, be it a small boutique or what have you. We have recognized this and tried to make a fairer playing field so that everybody plays by the same rules.

Most especially though, I consider that this bill is morally honest. It takes away what looks like a protection which is not a protection. I will speak to this next. It takes away the so-called tourist exemption protection and says this, in fact, will not work, does not work and must be looked into. It replaces this unrealistic and, really, nonexis-

tent protection, with an opportunity for the local community to make their own rules in a way that will not be challenged in the courts and thrown out for reasons of being not defensible.

That brings us to the second issue. I have discussed whether the bill is morally acceptable. I say to members that it is a great improvement over what we had; but, basically, lifestyles and family values are largely not done by legislation, they are done by families, by individuals and by the lives that each one of us chooses to live. As I say, the close families today are as likely to be found in our open tourist areas as in our closed other areas.

1650

Getting, then, to the second point raised about legislation—is it legally defensible?—here is the important issue. I wish to say that this is the implicit difference between this bill and the other one. It is indeed fairer, as I have said, but it is also enforceable in a way that will stand up in the courts so that it can be meaningful for the people who have to live by these laws.

I want to read to members the tourist exemption that existed in the old law. It says:

“Where it is essential for the maintenance or development of a tourist industry, the council of a municipality may by bylaw provide that section 2 does not apply to any class of retail business establishment in respect of the sale by retail of such goods or services on such holidays, for such periods of time, in such parts of the municipality and under such conditions as are specified by the bylaw.”

What does this say if it does not say that a municipality indeed has a local option right now under this bill?

Mr. D. S. Cooke: Oh, so we're back to the other argument, that there's no change.

Mr. Harris: What do we need the bill for? Why change it, then?

Hon. Mrs. Smith: I will address that if the member will allow me to speak. We did not heckle when he was speaking. He could maybe give us the same courtesy.

Mr. Harris: Maybe you weren't here when my leader was speaking, because all those yahoos were speaking during the whole thing.

The Deputy Speaker: Order, please.

Hon. Mrs. Smith: No, they have stopped. I am sorry.

Mr. Harris: Now it's my turn. That's how it works around here.

Hon. Mrs. Smith: We'll give it all up to you and then you'll stop.

The Deputy Speaker: Order, please. The Attorney General will address her answers through the Speaker, of course.

Mr. Harris: The Solicitor General. She'd be a better Attorney General than the yahoo we've got in that place.

The Deputy Speaker: Order, please. Would the member withdraw that remark, please?

Mr. Harris: Is there somewhere that says “yahoo” is unparliamentary?

The Deputy Speaker: I have decided that no members will call each other “yahoos” in this parliament.

Mr. Harris: Mr. Speaker, you have decided that “yahoo” is unparliamentary?

The Deputy Speaker: Yes.

Mr. Harris: If you have decided, I withdraw it, Mr. Speaker, but I would ask you to reflect on your bloody decision.

Interjections.

The Deputy Speaker: I do not allow unparliamentary language, and the Speaker decides what is parliamentary and what is not.

Mr. Harris: The Speaker also sets precedents in this place, and you had better reflect on it. That is what I said.

Mr. Morin: “Your bloody decision” is not proper.

Mr. D. S. Cooke: Oh, come on.

The Deputy Speaker: Will the Solicitor General please continue?

Hon. Mrs. Smith: I have read this definition out because of the importance of this. We have said from the beginning it is not possible to say exactly what is tourism and what is not.

If I, a Londoner, go to Grand Bend, I am a tourist. If someone from Grand Bend comes to London, he or she is a tourist. Under the court system we have, there is no way that this clause I have just read to you does not, in effect, say that any municipality anywhere can say, “This is a tourist area, because people are shopping here from elsewhere, and we will open.”

I defy you to try to defend that decision in the courts, and say they are not tourist areas. Clearly, if you want to take the case where it could be proved, because it was one of the most ridiculous, you take the case, once again, of Mississauga, where one store gets letters written in saying, “I came from the United States and shopped in this store and I very much enjoyed that nice Ontario food,” and therefore this store is a tourist attraction. The one next door to it is not a tourist attraction because somebody did not write

a silly letter. That is the present tourist exemption in Mississauga, and if that makes any sense, then I tell you there is no way that anything cannot open under that tourist exemption.

Under the new law you have something that clearly says the municipalities have that opportunity. It comes to almost exactly the same thing. They may apply to any parts of the municipality or territory. They may open on holidays to specific times or certain numbers of hours, on certain holidays and not on others, in specific periods of the year, by size, by numbers of persons employed, by character of business, by geographic location. We have said in this bill what is the clear reality of the former bill, because if we cannot define tourism, stores can open for all those reasons in the old bill, just as indeed we face the fact that they can open and we put that in the new bill. It is more honest. It is more up front.

Mr. D. S. Cooke: It is called passing the buck.

Hon. Mrs. Smith: The buck is already there. Any municipality simply has to call itself a tourist area. I have to remind the members—

Mr. Harris: So there's no change.

The Deputy Speaker: Order, please. Standing orders again today, repeated, that one person at a time shall address. Will the Solicitor General please continue?

Hon. Mrs. Smith: Yes. The member for York South said today that if a vote were held today it would be clearly rejected. I tell you, if you go back to the old bill, what you have is the local option that they have been objecting to, so there you are. Then you say, legitimately, "Why the new bill?" I will tell you why the new bill: because we wanted very much—

The Deputy Speaker: Will the Solicitor General please address her remarks through the Speaker?

Hon. Mrs. Smith: We wanted very much to get rid of all the obvious abuses in the old bill. We wanted to be more upfront with the communities so they could really understand that the point of control both in the old bill and the new bill is in the local municipality.

They have a right to know that. They have a right to understand that. It was there. We put it forward in a more honest way. We put into this new bill all the necessary clauses to do away with the abuses that had grown up under the old bill and made it a better bill for communities, particularly those communities that do not want wide-open Sundays.

In fact, if one wants to question whether the tourism exemption could stand up in court, whether in fact we are right in our assessment that the tourism exemption is not legally defensible, then why did someone not challenge some of these communities that opened up under the tourist exemption? Why indeed did CAOSS not, instead of doing the things it is doing, take these matters to court and say: "That fruit stand in Mississauga is not a tourist attraction. Close it down." It knows that the tourist law will not work. That is what we are facing. That is what we are advising the members on.

We have given the members a clear bill, a clear understanding for people of where they go if they want to maintain Sunday as it is now with the status quo. The only place it will be changed is in the local community. They have the power to do it now and we are directing them the right way.

We are, as well as that, introducing clauses that do away with the abuses. First and most important, we are raising the possible fine from \$10,000 to \$50,000. This is very important because the present situation had deteriorated to one where the paying of fines had simply become part of the cost of doing business.

In Barrie we had one store that had 31 charges against it that it dealt with at one time. It was charged \$11,500 in penalties. In Durham there was a store that had 25 charges laid against it. It got a \$30,000 fine and has since gone on to have 25 more charges laid against it.

We have corrected this not only by increasing the fine but by saying that the courts must look at the profit made or the volume of business in order to determine the appropriate fine. None of the people opposite, in the course of the debate, have mentioned roping off, one of these abuses that has become so obvious and so unfair within our cities.

1700

Mr. Mackenzie: Why didn't you act on it?

Hon. Mrs. Smith: We have said there will be no more roping off, that the area in which you do business from Monday to Saturday is the same area in which you do business on Sunday.

We have said that when a case goes to court, advertising placed by that store, either a sign in the window or advertising in the media, may be used in the courts as evidence of breaking the law. This could not be done before.

As well, and probably more important from the legal point of view, we have put in an injunctive clause, namely, "An order under subsection (1) is in addition to any other penalty that may be imposed and may be made whether

or not proceedings have been commenced in the provincial offences court for a contravention of section 2 or of a bylaw."

In plain, nonlegal English, or French for those who are translating, this means that, indeed, if a store opens, the police can get an order from the courts and close that store now. It means that no longer do they have to stay in line for when, two years down the line, they may get to court and, as has happened in the past, be charged some ridiculously small fine. The injunctive power of this bill means that no longer will the stores be able to treat this law as just a cost of doing business.

Speaking as Solicitor General, I must speak as the person who has the responsibility for policing in this province, and I must say that these particular improvements and the cutting off of the abuses are very important to me because of the responsibilities of our police in our society. I want to say that the police are very hard worked, hard pressed in time.

The member for Sarnia was asking me yesterday, are we putting priority on drugs? Others, like the member for Burlington South (Mr. Jackson), asked, are we putting priority on family violence? I am saying to them that I think it is very important that we improve this bill so we do not have policemen using up their time, using up their goodwill with the community and losing much of their respect by having to trail around placing charges that do not stick, do not bring proper fines and do not make the police look good within the community.

I want to relieve the police of this very onerous and unuseful task of trying to enforce an unenforceable and outdated law. As Solicitor General, I am particularly pleased to be replacing a law that is not at all legally defensible with a law that, indeed, will be easily defended not only by the police within our communities but by the courts within our system.

The final question, then, and of course a very important one, is: Is this law realistically pragmatic? I would remind members of what we have said so often, that the province is not a unilateral area. This province has many needs, many areas. What works in London does not necessarily work in Windsor; what works in Temagami does not necessarily work in Kingston.

We have been told that we are creating a patchwork. Indeed, we recognize that there should be a patchwork, that there are places which need to be open for their source of income, through tourism or in some cases other things,

that indeed we have to give this elasticity so the various parts of this province can develop as they see fit. I do not think there is anybody here who would suggest we do not need to do that.

The only practical, pragmatic way to do this is through letting those local governments, which are where the people are and which see this local area and understand it, address within their geographic area the needs of that geographic group and within their economic area the economic needs of that group.

We recognized in a very practical way that, by and large, most of this province wants to have as much of the status quo as possible and therefore we have left in place the provincial framework. The provincial framework is exactly the same as in the old bill.

That means, quite clearly, that we are not talking in any way about a wide-open Sunday. It means that in any municipality which does nothing or chooses to do nothing, what they will have is exactly what we have now, a community with convenience stores open, with all those exceptions we have become used to over these last 15 years. These will be in place and nothing more. The loopholes are plugged; the fines are in place. The opening they are accustomed to, the status quo, is in place.

Along with this, we have had to recognize, because of the wide diversity within the province, that there may indeed be a need in certain communities for them to have the power to change. This we recognize up front.

We recognize that many of our very small communities really have hardly any commercialism at all. Of course, they fall into this same category. If all the small areas of our province which really do not worry too much about this do nothing, then the provincial framework is in effect and they do not need to do anything.

I wish the members opposite would read the bill so that they would know these things. They ask questions which indicate they do not understand these things. They ask: "What about the small communities? They're going to have to hire all these fancy lawyers to write all their laws and everything." The small communities need to do nothing. They have something handed to them. If they find it does not work for them—they will know it; because it is not working for them—they can make the changes they want to make.

For those who have or want to have tourism, we have to leave that gate open. It is important to the province and to many communities. Tourism is the second-biggest industry in this province. It

counts tremendously to many, many areas, and they must have the opportunity to make the most use of it they can. The Ministry of Tourism and Recreation gives away thousands upon thousands of dollars to communities to help them to develop their tourist industry and it will continue to do so. This is particularly true in some of the poorest parts of our province, the northern and eastern parts. They have tremendous tourism potential. We have given them a law that helps them have the opportunity to develop this.

We do recognize as well that there are many communities which wish to have stores open that are not honestly and realistically tourism areas. In inquiring for this bill we have found already—and we are only part-way through this operation—110 municipalities which open for different reasons, most of them tourism, but open for different reasons or for periods longer than tourism would require.

These communities no longer have to pretend they are open for tourism, which they could do. If, indeed, they have a reason they want to open, they can open. We recognize that right across this province they are doing so: 110 exemptions now standing on the books and rising. This is recognized.

Therefore, the status quo is there within the provincial framework, but with it comes the flexibility, the fairness and the reality which make this a good bill for this province.

No longer will we have to hear, if you read the bill and understand it, that we are promoting wide-open Sundays. We are recognizing an existing situation and putting reasonable laws in place which can be understood, can be acted upon in the local municipality, where the average person has most access, where he can be heard, where he can express his will, where at the same time he knows and understands the local conditions he may want to have flexibility in. It is there that it will be addressed. It is in the municipality that people, in fact, have most access to the lawmakers.

I would like to address now, as I promised I would, the comments that have made about me personally, my change in position, about the domino theory and about, as we have heard over there in the last few minutes, the old passing-the-buck theory.

1710

I want to say that yes, indeed, I did change my mind. I had to change my mind for this reason: I was made to see that the tourism exemption has no reality in law and would have no reality before the courts. If members read the select commit-

tee's recommendations, they were all based on that. If you take away the tourist exemption, you have local option, only you have it in a hidden, unfair way.

Once you accept, as I accepted, that we had hit a legal roadblock, that in fact the tourist exemption could not stand, then indeed you have to change. You have to say that the select committee report was based on an assumption that is not true, and therefore we have to start without that assumption and move away from that. So I am not ashamed to say that, having been presented with the fact and the reality that the tourist exemption would not stand up, we have gone on to draw up a bill that recognizes that.

The domino theory that we hear so much about is therefore already there. Every community in this province must now realize for certain that all its municipality needs to do is claim a tourist exemption and open. At the time this bill was first introduced, members may recall that North York was talking about calling itself a tourist area and introducing a tourist exemption. This is not something that was not about to happen. The openness and reality of what has happened now was upon them anyhow. For the members of the opposition and the members of the public in Ontario, like myself, the time had come that they had to face the reality that the tourist exemption was a local option and did exist.

The fact that you could use the tourist exemption is proved by the ever-increasing number of exceptions that are made under the tourist exemption to this bill—as I say, 110 and growing. The only thing really that can stop the domino theory—well, probably two things—are the attitudes and the wishes of the people themselves. I hear the people in the opposition stressing these huge numbers of people, these huge blocs of people whom they represent who do not want open Sundays. I can tell them that if all the people in unions, if all the people who belong to churches do not shop on Sunday, that will present an attitude in this province that will assure, not only from the point of view of family attitudes but also from the point of view of economics, that indeed our province will stay with the present structures, the status quo, as they have a right to.

I had to be amused when the member for Sarnia, and I quote from Hansard, said the other day, "In light of the fact that a recent study in the United States undertaken by a consumers' group has indicated that, in so far as the popularity of Sunday shopping is concerned, the only demand

Sunday shopping appears to have with respect to consumers is that it has turned out to be the weakest shopping day of the week in the United States, that fewer people shop on that particular day"—I am quoting the leader of the third party. I found it interesting.

We did not find statistics to support this one way or another, but if what he says is true, then that may account for the fact that in Alberta, where they have complete opening, stores are actually beginning to close now because it just does not make sense for them to open. The domino theory is not really shown to be true. In British Columbia there was a rash of stores that opened at the beginning, but it has not spread largely throughout BC. There is a certain group that wanted to have its opening; it has it and it has more or less stayed the same.

In Calgary and Alberta generally, there was a pulling back, maybe for the reasons that the member for Sarnia says.

I have been in New York, where the areas of New York City that tend to be open on Sunday are the areas where the tourists happen to be, a legitimate, practical expression of openness used for tourists. I am telling the House that in this province, that can be so too.

We hear that most people want the status quo. They can express that in their municipalities, and this indeed will be the surest way of preventing the domino theory: Prevent it in your own community, if that is the way your community feels. I can assure members as well that other communities that need tourism and need to be open have to be given that freedom.

The other comment that is often made is that we are passing the buck. Indeed, I would like to read some quotes with regard to this.

First, I will quote the mayor of Sault Ste. Marie. "Well," he said on a radio program, "I'll have to confess that my initial reaction was much like that taken by AMO and other mayors across the province, that it almost appeared to be a passing of the buck by the province. I'll have to admit I've done a complete turnaround. We, as municipalities, have often said to senior levels and to the provincial government that most often what we want is a little more to say in what happens in our own communities. We have done that in areas of planning, in areas of fiscal planning, in areas of planning generally, and here is the province saying to us, 'Here's an opportunity for you to decide what's right for Sault Ste. Marie without us in Toronto deciding what's right for you.' So, my position would now be that this is exactly the type of thing that we,

from time to time, ask the province to permit us to do—make legislation that is tailored to our specific communities."

The mayor of Ottawa: "It is better that municipalities be able to decide on their own rather than the decision be imposed on them by their province."

There are others, but I will give the House instead a final, interesting comment that comes indeed from AMO's policy guidelines: "The Association of Municipalities of Ontario proposes that if the essence of our system of government is to keep government responsive to the wishes of the governed, municipal government should be left with as wide a scope of power as possible and be independent in the exercise of that power to the fullest practicable extent."

I think this states very clearly how the municipalities ideally see themselves. I think it states very clearly how we see their role in this area. They know their communities. The people can address them, and we are proud to say that we believe that these local municipalities will respond to the proper needs of their people and give them what these people want, not necessarily an open Sunday; indeed, give them the kind of Sunday that serves their individual purposes.

To simply close on the note I mentioned earlier, speaking as Solicitor General, I quote a previous Solicitor General, George Taylor. In 1985, he said: "It is hard to sustain a law where there are more breaches of it than respect for it."

I would add that to try to sustain such a law when indeed it does not work is not only to do disservice to the law itself within our democratic society but to put an unfair obligation on the police forces, for which I have responsibility, which are expected to enforce a law that the people themselves simply wish to thwart.

1720

The Acting Speaker (Miss Roberts): Mrs. Smith has moved second reading of Bill 113, An Act to amend the Retail Business Holidays Act.

Hon. Mr. Conway: I would just like to indicate that, as stated earlier in the House, by consent, by discussion we are going to defer any vote on these matters till Monday at 5:45 p.m. I want to seek the unanimous consent of the Legislature to so do.

The Acting Speaker: Do I have the unanimous consent of the House then to stack the votes with respect to Bill 113 and Bill 114?

Mr. D. S. Cooke: We haven't done 114 yet.

The Acting Speaker: With respect to Bill 113 then. You have heard the motion. Is it the pleasure of the House that the motion carry?

Some hon. members: No.

The Acting Speaker: All those in favour say "aye."

All those opposed say "nay."

In my opinion, the ayes have it.

Vote stacked.

EMPLOYMENT STANDARDS AMENDMENT ACT

Hon. Mr. Sorbara moved second reading of Bill 114, An Act to amend the Employment Standards Act.

Hon. Mr. Sorbara: I am delighted to speak and begin what I understand is going to be a brief debate on second reading of Bill 114, debate on this bill in principle. This bill is an amendment to the Employment Standards Act. We have considered this matter in this House in conjunction with the debate on Bill 113, the amendments to the Retail Business Holidays Act.

In that regard, I want to take a moment to congratulate my colleague the Solicitor General (Mrs. Smith), not only for her bill, but for the magnificent way in which she has shepherded this issue since it was first announced many months ago.

As Minister of Labour, my responsibility is to ensure that workers affected by Bill 113 and all retail workers have appropriate protections. Might I say, just in considering Bill 114, a few words on the context of Bill 113 as well?

There has been a great deal of debate on that topic. We have heard most members of this House express their view. I think it is safe to say most members in this House agree there should be a broad provincial framework in place and opportunities for local communities to vary somewhat. Really, the debate has been as to the nature of what that local option might be.

Having listened to the comments of the Leader of the Opposition (Mr. B. Rae) about his views as to the extent to which families may be compromised if Bill 113 is passed, I just point out that in the communities he talked about—the Italian community and the Portuguese community—and how their family lives might be threatened, I recall that I myself heard a number of people say to me, "Why can't we do this sort of regulation as we do in the European context, where so many of our citizens have come from?"

I notice a very interesting item. We did some research as to the way in which Sunday shopping is regulated in France, a very large jurisdiction. There is absolutely no national standard; they have a local option. We looked into how these

things were regulated in Italy. We find that there is no national jurisdiction, that these things are regulated by municipalities. Family life has not been destroyed and the culture has not been destroyed.

I simply say to my friends opposite, who are opposing so vehemently Bill 113, that a realistic assessment of the nature of our families and the nature of our culture is based on principles beyond the regulation of store hours. Indeed, the very fact that we direct our attention to Sundays is based not on government having historically, years and years ago said thus and such about retail hours. It emerges out of our culture. Similarly, the values that we have in our notion of creating a common pause day will continue to emerge and ooze out of our culture. These things are in no way threatened by Bill 113.

When we introduced Bill 113 and when we said that we were going to bring forth major amendments to that law—

Mr. Philip: On a point of order, Madam Speaker: My understanding is that we have dealt with Bill 113 and we are now on Bill 114.

The Acting Speaker: I am sure the honourable minister is going on to Bill 114 and will make his remarks on that.

Hon. Mr. Sorbara: I know that during the debate on Bill 113 there was a discussion on Bill 114 as well. I simply made those remarks as a preface to my introductory comments on Bill 114.

When we announced that we were going to be bringing about changes to the Retail Business Holidays Act, we said that we would at the same time introduce amendments to the Employment Standards Act to afford an appropriate protection to retail workers who may be called upon to work on Sundays. Bill 114 achieves that objective. I do not think its importance can be overestimated because for the first time in history we have provided meaningful, workable and enforceable protection for all employees in the retail sector.

For the first time workers will be able to refuse assignments of Sunday work that they consider unreasonable. The bill will augment protections already provided for employees under the Ontario Human Rights Code. That code, as members know, requires that all employers reasonably accommodate the needs of persons whose religious beliefs and practices limit their ability to work on a particular day, including Sunday, except where that result would provide undue hardship.

In addition, workers will continue to have the right to refuse work in retail businesses that open

in violation of the Retail Business Holidays Act. This results from Bill 51, which was an amendment to the Employment Standards Act which took effect on December 1, 1987.

The government's objective with Bill 114 is to create an environment in which Sunday work is, by and large, voluntary. In cases under the bill where employees and employers disagree about what constitutes unreasonable work, the government will provide mediation by an officer from the employment standards branch of the Ministry of Labour. In addition, an employee will be able to ask for mediation if he or she thinks that she has been punished or otherwise improperly treated by refusing work that the worker considers unreasonable on Sunday.

Might I just quote the section because I think it is terribly important. Subsection 39i(1) of the bill says very clearly, "No employer or person acting on behalf of an employer shall,

- (a) dismiss or threaten to dismiss an employee;
- (b) discipline or suspend an employee;
- (c) impose any penalty on an employee; or
- (d) intimidate or coerce an employee..."

I reiterate that the worker has a simple right to say to his or her employer, "No, I consider that assignment of Sunday work unreasonable." If the employer hears that, he has no choice but to accept that, if he is not willing to go to mediation for that process.

Mr. D. S. Cooke: And what if the next day they hire somebody else?

Hon. Mr. Sorbara: My friend the member for Windsor-Riverside (Mr. D. S. Cooke) interjects about what happens if the employee is dismissed or otherwise coerced. The law is very clear in that regard. That employee—

Mr. D. S. Cooke: So they fire him a week later. They say, "Do something else."

Hon. Mr. Sorbara: Because he often does not have the protection of a union or an organization acting on his behalf, the employee simply has to write a letter to the employment standards branch and say in that letter, "I feel that I have been disciplined as a result of my refusal of Sunday work," and immediately the employment standards branch, on a priority basis, will provide mediation for that employee.

Let's assume that the mediation process does not work and that the worker and the employer cannot work out a reasonable accommodation of what is reasonable for Sunday work in that business premise.

Mr. D. S. Cooke: What's reasonable? What's unreasonable? You haven't told us.

Hon. Mr. Sorbara: Under those circumstances, again, the bill is quite specific and clear. A referee will decide that. The referee can look at any criteria affecting that workplace. In addition to that, the statute provides a number of indicia to assist the referee in making that determination.

Interjections.

The Acting Speaker: Order.

Hon. Mr. Sorbara: We believe the process we have put into place under Bill 114 is simple and expeditious as an administrative matter, based on the wording of the statute, which says that forthwith the employment standards branch will provide what we describe as fast-track resolution of these issues. As I said, if the dispute cannot be resolved by the mediation process, it will be referred to a referee.

My friends opposite ask, "What is reasonable and what is unreasonable?" That is a good question. Surely we cannot put in the statute every single indicium or criterion of reasonableness, but the statute does list a number of those indicia, including whether the terms of a collective agreement affecting that place of work specifically address Sunday work or whether there has been premium pay for Sunday work. It is very similar to some of the statutes we analysed in European jurisdictions. Indeed, the statute says the referee can look at whether there is a rotating schedule to accommodate, as much as possible, a worker's desire not to have to work on Sunday.

It is important to recognize, as I said earlier, that the worker has the right to say no. We believe this will bring about a process where, by and large, throughout the entire province, whether a municipality has determined that it wants the local option or not, the workforce in the retail sector will have the option of deciding clearly whether it wants to work on Sunday.

The protection in this bill is not just against unjust dismissal for refusal to work on Sunday; it also provides protection against acts of discipline, acts of suspension, intimidation, coercion or any other penalty imposed by an employer. Any dismissal, any act of discipline, is provided for in the act and gives grounds to a referee to order reinstatement and compensation.

Not only do I believe this bill is worthy of support, obviously, by our party, but I would suggest to the members opposite, notwithstanding their view that they are going to fight Bill 113 until hell freezes over, that they consider this principle. Perhaps, in the view of the New

Democratic Party, the right of the working community to refuse does not go as far as they want, but I say to them that they should consider this bill and the principle and consider assisting us in this House in putting this principle and this initial step into law. I tell my friends in the New Democratic Party that if they compare this right to refuse to the right to refuse in many pieces of labour legislation, it is worthy of their support.

I say to my friends in the Progressive Conservative Party, indeed, to the member for Nipissing (Mr. Harris)—to whose credit it was, when we were debating Bill 51, that he suggested to me that the protections in Bill 51 should also afford protections for any kind of coercion, suspension or any other kind of reprisal action by an employer—that he can find this in this bill and it would behoove him and his party to consider seriously—again, notwithstanding that they will still fight Bill 113 until hell freezes over—supporting this piece of legislation.

I suggest in this debate that the principles here are sound ones, that in a sense it is historic for Ontario for the first time to offer specific protection to a specific group of workers to refuse to work on a particular day for work which they consider, based on their lives and based on the organization of their working life, to be unreasonable on Sunday.

In addition to the protections offered here, as I have said, there is protection under Bill 51 and under the One Day's Rest in Seven Act. I would like to say that the provisions under the One Day's Rest in Seven Act provide protection for those workers in the hospitality industry, and I tell my friends during this debate, just before I finish, that I would anticipate that when Bill 114 is passed and becomes law, we would provide an exemption for workers in the hospitality industry by virtue of the fact that they are covered by the One Day's Rest in Seven Act.

I am confident that many employees in retail establishments that open on Sunday stand to benefit by this legislation. Many workers obviously want to work on Sunday and will take advantage of opportunities to work on Sunday.

Notwithstanding that, workers in the retail work force who choose to say no to Sundays can look to this bill and the enforcement of the employment standards branch to exercise and fulfil their rights and their views as to how their Sunday should be, whether it is a work Sunday or not.

This bill gives new rights to hundreds of thousands of workers in this province for the very

first time, and I am proud to urge its passage in this House by all parties.

The Acting Speaker: Are there any comments or questions on the remarks made by the honourable minister?

Mr. Mackenzie: There are no comments, are there? I thought it was an agreement that we have only statements.

The Acting Speaker: Do I have the unanimous consent of the House that there will be no comments or questions with respect to the speeches on Bill 114?

Agreed to.

Mr. Mackenzie: I do not intend to be very long on this, but I cannot resist the comment that it seems strange that we have to pass Bill 114 to protect us against Bill 113. It really is a ludicrous situation.

I also wonder, with all due respect to the Minister of Labour (Mr. Sorbara), if he has ever worked in the real world—I mean as an employee and for somebody else—where he had no influence in the particular decisions that were made or not.

Hon. Mr. Sorbara: The answer is yes.

Mr. Mackenzie: I wonder what he would say. The workers certainly have tried it on a picket line I was at just at noon today, the Vietnamese women trying to say no to the Reichmanns, for example, or even to get anything out of them in the way of a first contract. How you would say no to them or to the Conrad Blacks in a situation like this I do not know.

I want to use just for a moment the statement that the minister made when he introduced the legislation in the House. He said, "When this bill is passed, retail employees will be able to refuse Sunday work the employee considers unreasonable."

That is the weasel word right off the bat, as the minister should know if he had ever worked in the real world. I do not know when we have been comfortable or won in any consistent manner on almost any labour issue where you had to prove the reasonableness of it.

I would like to take a look at the next sentence, where he says, "the specific situations that may arise as a result of Bill 113, by providing workable protection for all employees in the retail sector."

He goes on to say in the next paragraph, "Specifically, the effect of Bill 114, when passed, will be that all workers in the retail sector will have the right to refuse Sunday work if the worker considers it unreasonable."

That is simply not true, and he almost admits it himself in the next paragraph, where he says, "However, in cases where the employee and employer disagree on what constitutes unreasonable Sunday work, the government will provide mediation by an officer of the employment standards branch."

While in the first paragraph they have apparently absolute right to refuse, that is immediately contravened by the right of the employer to say, "Hey, you can't," in effect, and then you have to prove the reasonableness.

The minister goes on to say that he is going to have an employment standards officer deal with it. I wish he had mentioned, because we raised it in the debate on Bill 113, just how many additional employment standards officers he is going to hire; or is he figuring that this thing is so loose that nobody is going to take advantage of it anyway, because it is impossible to enforce? Right now, as I am sure the minister knows, it takes months to get an employment standards officer on a case and, as a matter of fact, it can take six or seven months and even longer to get a decision on it.

So what are we going to do in the way of employment standards officers to deal with this if it is ever used? I suspect he knows it is not going to be used, because it does not have any authority.

1740

I want to deal just briefly with the determinations that are taken into account in deciding whether or not it is a reasonable excuse: The terms of a collective agreement, if any, that specifically address Sunday work." Does this override them or not? What does that do in terms of the collective agreement? Have they any additional protection if the Sunday work is not of their choice? "The existence of any premium pay arrangement for Sunday work." Now, that one is an insult.

I was at a rally in Hamilton Tuesday night with a good number of the ministers in town and a fairly large crowd, at which Bill Reno of the United Food and Commercial Workers International Union was one of the speakers. He said that was one of the biggest insults of all. What they are saying to us here is, in effect, if they can pay us time and a half for Sunday, we should be willing to work. The issue of time and a half is not the issue whatsoever in this deal; it is the right of the workers not to have to work on a Sunday. Even to raise this time-and-a-half issue, I think, is an insult.

"The existence of any policy of rotating Sunday work assignments in the workplace": Does that mean if that is the pattern, that is going to be a reason it is not reasonable to refuse to work? The minister certainly does not tell us in this, and he certainly gives lots of leeway for employers to say there has been a pattern here, or alternate or rotating Sunday work.

"The history of working relationships, including any previous requirements respecting Sunday work assignments." Is that a way they can get around the reasonable right to refuse as well?

And finally: "The efforts of an employer to hire additional staff to permit reasonable scheduling of Sunday work." Does that mean he is going to be able to do it? "Whether the employee was hired on a part-time basis specifically to permit reasonable scheduling of Sunday work by other employees."

There are so many weasel words in there that I do not know anybody—and I have talked to quite a few people in the last few weeks—in the trade union movement who thinks it is worth, as I have said before, the powder to blow it to hell. That is not going to protect workers in Ontario. Workers know it. What the minister should be working for is more reasonable hours.

He has also not covered the one other issue that I mentioned to him in the debate on Bill 113, and that is how you stop an employer from gradually cutting back on hours of work, which is already the tactic used in the cutback in hours for part-time workers in the retail trade. We have been able to do absolutely nothing about it, nor has the union. There is no protection here for workers whatsoever, and it is dishonest to give the impression that this does protect workers. The minister should know it. This bill is worthless and we will be voting accordingly.

The Deputy Speaker: Do other people wish to debate? The member for Nipissing.

[Applause]

Mr. Harris: That is OK, members may applaud.

We, in our party, are opposed to this piece of legislation. I do not want to dwell on it at great length, but I do want to put a few things on the record. I do not want to get dragged into talking about Bill 113, but when we were talking about both of these particular bills, the Solicitor General, the Minister of Labour and, indeed, the Premier (Mr. Peterson) all talked about these two bills as: "This does not mean wide-open Sunday shopping; this means local option. This does not change the status quo; it tidies it up and makes it more enforceable."

I think that stretches the credibility as to the reason these bills are here and what is really intended. I would have far more respect for the Premier—who has shoved this down everybody's throat really, let's face it—if he came out and said, "I am in favour of Sunday shopping" and just did it, because that is, in effect, what I believe the Premier believes in. He should just do it, be up front and be honest about it.

How can you have some labour protection if it is legal? How can you say to a little store owner, "It is legal for you to be open, but it might not be legal for you to have any staff"? I do not understand this bill at all.

Did we want protection for those stores that were open illegally? Of course we did. It was a sad day when we had to bring it in, because last year the Attorney General (Mr. Scott) said, "Either I am not going to enforce this law or I am going to make a pronouncement that I am going to exempt Boxing Day from this law." That is a little different, and we were after protection there. But to pretend that the protection in Bill 114 somehow makes it OK for wide-open Sunday shopping; that the government has covered it, really stretches credibility.

I started by saying that when you hear comments like this from the Solicitor General—when she talked about her evolution, she talked about sporting events, she talked about how the nuns would not let her play tennis, she talked about how life has changed and has evolved—that does not sound like an argument for the status quo. That sounds to me like an argument that it is time for Sunday shopping in Ontario. She is saying times have changed.

Then in the next breath she says: "Oh, but this is the status quo. This doesn't mean wide-open Sunday shopping." Let her be honest about it. If that is what she wants to put forward, let her be honest about it.

The Premier was quoted as saying: "I'm going to drag Ontario into the 21st century. Whether the citizens like it or not, I am going to drag them into the 21st century." He too believes times have changed: It is time to open up Ontario on Sunday.

The member for Etobicoke West (Mrs. Le-Bourdais) nods her head, and I congratulate her for doing that because it is at least being honest. That is not what we are hearing from the Premier, the Attorney General and the Solicitor General.

The Solicitor General also said: "I do not believe you guys saying all these people are opposed. If they don't believe in it, they won't shop."

All these arguments indicate to me that what the government really wants is wide-open Sunday shopping. I guess deep down inside that if this is its way of bringing it in, it agrees with us. It agrees with the domino theory, it agrees that this indeed will lead to wide-open Sunday shopping.

I would have a lot more respect for this government if it had said, after the election: "Look, we got elected. I know we didn't say this before, but doggone it, we had to get elected, folks. I don't think this would have sold too well, but now this is the agenda. We're elected. Like it or lump it, this is my vision of Ontario in the 21st century and you can judge me in the next election if you remember that I said one thing and changed."

Why does not the government just be honest about it and say, "I want wide-open Sunday shopping"?

Let me talk specifically about Bill 114 in a little detail. First of all, in my view, and I am not a lawyer—and I refuse to consult lawyers because I get 50 different opinions and, in my view, my own gut reaction has usually served me much better—this bill is unconstitutional, this bill cannot be constitutional.

How can the government say it is legal to open a store but illegal to have somebody staff it? How can it be illegal to have to work in a store that wants to be open and it is legal for it to be open on Sunday? How can that be illegal, or how can the government offer protection to that worker but no protection to the worker who works in any other business? How can the government say to the retail workers of the province of Ontario, "We're going to give you protection from working on Sundays, something nobody else has"? How can that be legal, I say to myself. I do not think it can be.

I think it is challengeable. I understand the steelworkers are going to challenge it. I have heard rumours of a few others. It just is not, in my view, constitutional in Canada today. I do not see how the government can give protection to one segment and not to the other. How does that make sense? The only reason it may not be unconstitutional is that it is so meaningless it does not mean anything anyway.

1750

I guess if I were defending it, that is the way I would defend it. I would say: "Really, the bill is not protection at all. It is so wishy-washy that it does not mean any protection. Therefore, how can it be giving a right to a retail worker that is not there for a construction worker, a steelworker or

any other worker? Because the bill is no good, anyway." I think they might win that argument. But I am not sure that is what the minister is trying to sell to us today. I heard him say this particular legislation was "meaningful" and "workable" and a "historic occasion."

Also, not being a legal expert, I wonder about the Sunday aspect. I wonder if it is constitutional to say to Christians who celebrate Sunday, "We have a bill that protects you and you don't have to work on Sunday," but to say to those of the Jewish faith and many other faiths: "We don't have any protection for you. You have to work on Saturday. You have to work on Friday."

I do not know if that is constitutional. Maybe somebody will look into it. It just does not make a lot of sense to me that you can offer protection to one faith on Sunday, and to one segment of workers, the retail workers, and not to others.

The member for Hamilton East (Mr. Mackenzie) has pointed out the reality of the situation in the retail sector, and the pitfalls and the loopholes that are there from an employee point of view. I want to say I agree with him. They all exist.

But I also want to talk about the small retailers and the many employees who work for them. I guess if you add them all up across the country—yes, you have your Eaton's and you have your Simpsons stores—I do not know what the percentage of workers is, but my guess is that the majority of workers probably work for the small retailers.

The relationship in that little dress shop where there is the owner, an assistant manager and two or three employees is really not the type of relationship that exists when Bob White of the Canadian Auto Workers sits across the table from General Motors. That is not the kind of relationship that normally exists in a small dress shop or in many of the small retail shops we have, where, in most of them, the owners work themselves.

That relationship with the employees is a special relationship. It is not the normal boss, general manager, manager, supervisory type of role. Generally, it is a pretty friendly, family-oriented type of role. There has been a history, usually, of a loyalty to that firm. I cannot imagine, in those situations, where I think most employees work, an employee saying:

"I'm not going to work on Sunday. I understand that Sturgeon Falls has opened on Sunday and I understand we are losing market share and I understand why North Bay city council did what it had to do and now we have to open on Sunday. I understand why you, Sally,

have to open your shop on Sunday. I can see the sales going down and I can see the business we are losing." Does the government expect that the employee in that type of family operation is going to say: "No, I'm not working Sunday"? It will not happen.

I think this bill is a charade. I do not think it does anything. I really do not think it is effective legislation. I have to be honest and say that I am not sure the government can, on one hand, say: "It's legal to be open. Sunday shopping's OK in Ontario. It's OK, Mr. Businessman. You can build your little store. You can get your inventory. Sunday is a great day. It's a wonderful day to be open. You're welcome to do that here in Ontario."

I am most concerned, I guess, about the small independent family store owner. I do not know how one can say to that person, "But you can't have anybody to work," because if it is effective, if it is meaningful, he cannot have anybody to work. I do not understand how they can do that. That does not make sense to me. I guess the only reason that it probably works is that the bill is no good, because it does not really say that.

I worry about friendly relationships, special relationships that exist in small stores now, with the employer in owner-run businesses where he works in there. I worry about the confrontation and I worry about the type of conflicts that it will put into that situation.

Again, we have agreed that we are not going to talk at great length on this, but I think I would be remiss if I did not comment on how the government expects to enforce this with the employment standards officers. I am told now that it takes four to six months to have simple complaints adjudicated.

The minister said in his statement that these will be dealt with immediately, on a priority basis. Does that mean that the waiting list that is now four to six months will go to a year or two years? Will it go the way of our rent review legislation? Is that what he considers immediate? If they are going to jam all these cases in there, why are they going to get priority?

It is great to stand up for the bills and say: "It's going to be a priority. We're going to deal with these right up front, first thing. Everything else goes on the back burner." I do not think that is being fair to those who are having difficulty with the system right now.

Does it mean they are going to hire another 1,000 civil servants to mediate all these things? What kind of training are they going to give these people who have no expertise, really, in under-

standing that type of relationship, particularly in the small shops?

I know there is expertise in the ministry in dealing with big companies and with big-company bargaining and with those types of problems. Some of them perhaps get involved with some of the smaller companies under wrongful dismissal, but I do not think the employment standards officers have the training or the experience to make those kinds of rulings right now.

I do not know how many more they are planning to hire; I do not know what training or what experience they are planning to give them, or whether that indeed is possible, and then I do not know what is going to happen to the waiting list that already exists there.

When we started to hear that the government was going to go the local-option route, I actually was surprised that this bill was brought in. I understood Bill 51. I understand the One Day's Rest in Seven Act in the tourism industry. But I really do not understand and I was surprised that the government thought it could come up with a bill that was (a) constitutional, (b) meaningful and had force and (c) workable. Indeed, I have not seen anything that has changed my view.

I guess, Mr. Speaker—

Hon. Mr. Sorbara: I want to wrap it up, Mike.

Mr. Harris: Does the minister want to wrap up?

On motion by Mr. Harris, the debate we adjourned.

BUSINESS OF THE HOUSE

Hon. Mr. Conway: As called for by standing order 13, I would like to indicate the business of the House for the coming week.

Earlier today the House leaders and whips met, as is our custom, and we decided on proceeding with the business of the week following in this fashion: On Monday, June 20, we will—and I think it has to be said now—continue the adjourned debate on Bill 114. Later in the day we will have the votes, assuming our agreement holds, and I believe it will, on Bill 113 and Bill 114.

On Monday as well, as time permits, we will then deal with Bill 86, the Highway Traffic Amendment Act; Bill 87, the Ontario Highway Transport Board Amendment Act, and Bill 88, the Truck Transportation Act.

Mr. Philip: The Liberal free trade bills.

Hon. Mr. Conway: I say to my friend the member for Etobicoke-Rexdale, who seems to be excited, that we will then move on, in an order that time and agreement permit, to deal with Bill 148, the Environmental Statute Law Amendment Act, where we expect some divisions, and on to other legislation, including second reading in committee of the whole House with bills 148, 133, 26, 52, 128, the weed act, the mining act and Bill 100, which had been agreed to for possible discussion today.

It is quite obvious we have a lot to do. There will be a lot of discussion, and I want to ask the honourable members to bear with the House leaders as we try to work our way through these sunny days of June.

The House adjourned at 6:02 p.m.

ALPHABETICAL LIST OF MEMBERS*
(130 seats)

First Session, 34th Parliament

Lieutenant Governor: Hon. Lincoln M. Alexander, PC, QC

-
- | | |
|---|--|
| Adams, Peter (Peterborough L) | Fontaine, Hon. René , Minister of Northern Development (Cochrane North L) |
| Allen, Richard (Hamilton West NDP) | Fulton, Hon. Ed , Minister of Transportation (Scarborough East L) |
| Ballinger, William G. (Durham-York L) | Furlong, Allan W. (Durham Centre L) |
| Beer, Charles (York North L) | Grandmaître, Hon. Bernard C. , Minister of Revenue (Ottawa East L) |
| Black, Kenneth H. (Muskoka-Georgian Bay L) | Grier, Ruth A. (Etobicoke-Lakeshore NDP) |
| Bossy, Maurice L. (Chatham-Kent L) | Haggerty, Ray (Niagara South L) |
| Bradley, Hon. James J. , Minister of the Environment (St. Catharines L) | Hampton, Howard (Rainy River NDP) |
| Brandt, Andrew S. (Sarnia PC) | Harris, Michael D. (Nipissing PC) |
| Breaugh, Michael J. (Oshawa NDP) | Hart, Christine E. (York East L) |
| Brown, Michael A. (Algoma-Manitoulin L) | Henderson, D. James (Etobicoke-Humber L) |
| Bryden, Marion (Beaches-Woodbine NDP) | Hošek, Hon. Chaviva , Minister of Housing (Oakwood L) |
| Callahan, Robert V. (Brampton South L) | Jackson, Cameron (Burlington South PC) |
| Campbell, Sterling (Sudbury L) | Johnson, Jack (Wellington PC) |
| Caplan, Hon. Elinor , Minister of Health (Oriole L) | Johnston, Richard F. (Scarborough West NDP) |
| Carrothers, Douglas A. (Oakville South L) | Kanter, Ron (St. Andrew-St. Patrick L) |
| Charlton, Brian A. (Hamilton Mountain NDP) | Kerrio, Hon. Vincent G. , Minister of Natural Resources (Niagara Falls L) |
| Chiarelli, Robert (Ottawa West L) | Keyes, Kenneth A. (Kingston and The Islands L) |
| Cleary, John C. (Cornwall L) | Kozyra, Taras B. (Port Arthur L) |
| Collins, Shirley (Wentworth East L) | Kwinter, Hon. Monte , Minister of Industry, Trade and Technology (Wilson Heights L) |
| Conway, Hon. Sean G. , Minister of Mines (Renfrew North L) | Laughren, Floyd (Nickel Belt NDP) |
| Cooke, David R. (Kitchener L) | LeBourdais, Linda (Etobicoke West L) |
| Cooke, David S. (Windsor-Riverside NDP) | Leone, Laureano (Downsview L) |
| Cordiano, Joseph (Lawrence L) | Lipsett, Ron (Grey L) |
| Cousens, W. Donald (Markham PC) | Lupusella, Tony (Dovercourt L) |
| Cunningham, Dianne E. (London North PC) | MacDonald, Keith (Prince Edward-Lennox L) |
| Cureatz, Sam L. (Durham East PC) | Mackenzie, Bob (Hamilton East NDP) |
| Curling, Hon. Alvin , Minister of Skills Development (Scarborough North L) | Mahoney, Steven W. (Mississauga West L) |
| Daigeler, Hans (Nepean L) | Mancini, Hon. Remo , Minister without Portfolio (Essex South L) |
| Dietsch, Michael M. (St. Catharines-Brock L) | Marland, Margaret (Mississauga South PC) |
| Eakins, Hon. John F. , Minister of Municipal Affairs (Victoria-Haliburton L) | Martel, Shelley (Sudbury East NDP) |
| Edighoffer, Hon. Hugh A. , Speaker (Perth L) | Matrundola, Gino (Willowdale L) |
| Elliot, R. Walter (Halton North L) | McCague, George R. (Simcoe West PC) |
| Elston, Hon. Murray J. , Chairman of the Management Board of Cabinet (Bruce L) | McClelland, Carman (Brampton North L) |
| Epp, Herbert A. (Waterloo North L) | McGuigan, James F. (Essex-Kent L) |
| Eves, Ernie L. (Parry Sound PC) | McGuinty, Dalton J. (Ottawa South L) |
| Farnan, Michael (Cambridge NDP) | McLean, Allan K. (Simcoe East PC) |
| Faubert, Frank (Scarborough-Ellesmere L) | McLeod, Hon. Lyn , Minister of Colleges and Universities (Fort William L) |
| Fawcett, Joan M. (Northumberland L) | Miclash, Frank (Kenora L) |
| Ferraro, Rick E. (Guelph L) | Miller, Gordon I. (Norfolk L) |
| Fleet, David (High Park-Swansea L) | |

Morin, Gilles E. (Carleton East L)
 Morin-Strom, Karl E. (Sault Ste. Marie NDP)
 Neumann, David E. (Brantford L)
 Nicholas, Cindy (Scarborough Centre L)
 Nixon, J. Bradford (York Mills L)
Nixon, Hon. Robert F., Deputy Premier,
 Treasurer of Ontario and Minister of Econom-
 ics and Minister of Financial Institutions
 (Brant-Haldimand L)
Oddie Munro, Hon. Lily, Minister of Culture
 and Communications (Hamilton Centre L)
 Offer, Steven (Mississauga North L)
O'Neil, Hon. Hugh P., Minister of Tourism and
 Recreation (Quinte L)
 O'Neill, Yvonne (Ottawa-Rideau L)
 Owen, Bruce (Simcoe Centre L)
Patten, Hon. Richard, Minister of Government
 Services (Ottawa Centre L)
 Pelissero, Harry E. (Lincoln L)
Peterson, Hon. David R., Premier and Presi-
 dent of the Council and Minister of Inter-
 governmental Affairs (London Centre L)
 Philip, Ed (Etobicoke-Rexdale NDP)
Phillips, Hon. Gerry, Minister of Citizenship
 (Scarborough-Agincourt L)
 Poirier, Jean, Deputy Speaker and Chairman of
 the Committees of the Whole House (Prescott
 and Russell L)
 Pollock, Jim (Hastings-Peterborough PC)
 Polsinelli, Claudio (Yorkview L)
 Poole, Dianne (Eglinton L)
 Pope, Alan W. (Cochrane South PC)
 Pouliot, Gilles (Lake Nipigon NDP)
 Rae, Bob (York South NDP)
Ramsay, Hon. David, Minister of Correctional
 Services (Timiskaming L)
 Ray, Michael C. (Windsor-Walkerville L)
 Reville, David (Riverdale NDP)
 Reycraft, Douglas R. (Middlesex L)
Riddell, Hon. Jack, Minister of Agriculture and
 Food (Huron L)

Roberts, Marietta L. D., Deputy Chairman of the
 Committees of the Whole House (Elgin L)
 Runciman, Robert W. (Leeds-Grenville PC)
 Ruprecht, Tony (Parkdale L)
Scott, Hon. Ian G., Attorney General
 (St. George-St. David L)
 Smith, David W. (Lambton L)
Smith, Hon. E. Joan, Solicitor General
 (London South L)
 Sola, John (Mississauga East L)
Sorbara, Hon. Gregory S., Minister of Labour
 (York Centre L)
 South, Larry (Frontenac-Addington L)
 Sterling, Norman W. (Carleton PC)
 Stoner, Norah (Durham West L)
 Sullivan, Barbara (Halton Centre L)
 Swart, Mel (Welland-Thorold NDP)
Sweeney, Hon. John, Minister of Community
 and Social Services (Kitchener-Wilmot L)
 Tatham, Charlie (Oxford L)
 Velshi, Murad (Don Mills L)
 Villeneuve, Noble (Stormont, Dundas and Glen-
 garry PC)
Ward, Hon. Christopher C., Minister of
 Education (Wentworth North L)
 Wildman, Bud (Algoma NDP)
Wilson, Hon. Mavis, Minister without Portfolio
 (Dufferin-Peel L)
 Wiseman, Douglas J. (Lanark-Renfrew PC)
Wong, Hon. Robert C., Minister of Energy
 (Fort York L)
Wrye, Hon. William, Minister of Consumer and
 Commercial Relations (Windsor-Sandwich L)

*The alphabetical list of members appears in
 each issue. Lists of the members of the executive
 council, parliamentary assistants and members
 of committees, brought up to date as necessary,
 are published in Hansard in the first and last
 issues of each session and on the first sitting day
 of each month.

CONTENTS

Thursday, June 16, 1988

Private members' public business

Deaf Persons' Rights Act , Bill 143, Mrs. Stoner, Mr. R. F. Johnston, Mrs. Cunningham, Mr. Fleet, Mr. Hampton, Mr. Pollock, Mr. Matrundola, second reading agreed to . . .	4435
Gun Replica Sale Prohibition Act , Bill 145, Mr. Farnan, Mr. J. M. Johnson, Mr. Neumann, Mr. Philip, Mr. Pollock, Mr. Offer, Mr. Hampton, Mr. Callahan, Mr. R. F. Johnston, second reading agreed to	4443

Members' statements

Labour dispute , Mr. Pouliot	4454
Caravan , Mr. Cousens	4454
Local government , Mr. Faubert	4455
Toronto Economic Summit , Mr. R. F. Johnston	4455
Construction industry labour disputes , Mrs. Marland	4455
Northumberland County Senior Games , Mrs. Fawcett	4456
Lottery ticket franchises , Mr. McLean	4456

Statement by the ministry

Paralegals , Hon. Mr. Scott	4457
--	------

Responses

Paralegals , Mr. B. Rae, Mr. Eves	4457
--	------

Oral questions

Property speculation , Mr. B. Rae, Hon. Mr. Peterson	4461
Toronto Economic Summit , Mr. B. Rae, Hon. Mr. Scott, Mr. R. F. Johnston	4462
Interprovincial trade barriers , Mr. Brandt, Hon. Mr. Peterson	4464
Ontario Hydro , Mr. Runciman, Hon. Mr. Wong	4465
Ontario Lottery Corp. , Mr. Farnan, Hon. Mr. O'Neil	4466
Condominium registration , Mr. Cousens, Hon. Mr. Wrye	4467
Horticultural industry , Mr. Dietsch, Hon. Mr. Riddell	4467
Massey Combines Corp. , Mr. Mackenzie, Hon. R. F. Nixon	4468
Road culverts , Mr. Villeneuve, Hon. Mr. Fulton	4469
Home care , Mr. Allen, Hon. Mr. Sweeney	4469
Labour dispute , Mr. McLean, Hon. Mr. Sweeney	4470
Agricultural subsidies , Mr. McGuigan, Hon. Mr. Riddell	4471
Phosphate deposits , Mr. Laughren, Hon. Mr. Fontaine	4472
OMAF News , Mr. Runciman, Hon. Mr. Riddell	4473

Petitions

Retail store hours , Mr. Henderson, tabled	4473
Custody of children , Mr. Henderson, tabled	4474
Minimum wage , Mr. Morin-Strom, tabled	4474
Retail store hours , Mrs. Marland, Miss Martel, Mr. Philip, tabled	4474

Reports by committees

Standing committee on public accounts , Mr. Philip, adjourned	4475
--	------

Standing committee on the Ombudsman, Miss Nicholas, adjourned	4475
Motions	
Committee sittings, Hon. Mr. Conway, agreed to	4476
Status of Bill Pr49, Hon. Mr. Conway, agreed to	4476
House sitting, Hon. Mr. Conway, agreed to	4476
Access to information, Hon. Mr. Conway, agreed to	4476
First readings	
Municipal Extra-Territorial Tax Act, Bill 159, Hon. Mr. Eakins, agreed to	4476
Charlotte Eleanor Englehart Hospital Act, Bill Pr9, Mr. Smith, agreed to	4476
Second readings	
Retail Business Holidays Amendment Act, Bill 113, Hon. Mrs. Smith, Mr. Brandt, Mr. B. Rae, vote deferred	4477
Employment Standards Amendment Act, Bill 114, Hon. Mr. Sorbara, Mr. Mackenzie, Mr. Harris, adjourned	4495
Other business	
Recess	4453
Members' expenditures, Deputy Speaker	4454
Sexual assault, Hon. Mr. Sorbara	4454
Motion on South Africa, Mr. B. Rae, Hon. Mr. Conway, Mr. Harris, Deputy Speaker ..	4456
Access to information, Mr. Eves, Deputy Speaker, Hon. Mr. Conway, Mr. D. S. Cooke, Mr. McCague, Mr. Jackson, Mr. Harris	4458
Business of the House, Hon. Mr. Conway	4476
Business of the House, Hon. Mr. Conway	4501
Adjournment	4501
Alphabetical list of members	4502



No. 82

Hansard

Official Report of Debates

Legislative Assembly of Ontario

First Session, 34th Parliament
Monday, June 20, 1988

Speaker: Honourable Hugh A. Edighoffer
Clerk of the House: Claude L. DesRosiers

Published by the Legislative Assembly of Ontario
Editor of Debates: Peter Brannan

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$16.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Monday, June 20, 1988

The House met at 1:31 p.m.

Prayers.

MEMBERS' STATEMENTS

CAMBRIDGE MEMORIAL HOSPITAL

Mr. Farnan: On June 16, the board of directors of Cambridge Memorial Hospital gave a unanimous vote of confidence to the administrator of CMH and, at the same time, the board expressed its willingness to co-operate with the Ministry of Health in establishing and implementing a balanced budget.

The board has taken a conciliatory, co-operative position. To this end, subject to the approval of the Ministry of Health, it has requested that the Ontario Hospital Association appoint a team of advisers to assist the board. The board is requesting the opportunity to be partners with the ministry in achieving its goals.

A petition organized by the Cambridge Reporter in support of the Cambridge Memorial Hospital has already received almost 10,000 mail-back returns. In addition, the Cambridge Academy of Medicine, the nursing staff of CMH and the Cambridge Ministerial Association have all taken public positions in support of the Cambridge hospital.

I urge the Minister of Health (Mrs. Caplan) to recognize that the delivery of our health care services is one that requires a partnership based on co-operation and mutual respect. As the representative for Cambridge, I am requesting the minister to demonstrate these attributes in seeking a resolution.

The people of Cambridge, indeed the people of Ontario, are awaiting the minister's response. The manner and content of the minister's response will set the tone for the future delivery of health care in Ontario.

COUNSELLING SERVICE

Mrs. Cunningham: Last Friday in London, demonstrators gathered on the doorstep of the constituency office of the Premier (Mr. Peterson) to protest the possible closing of Changing Ways, the counselling agency for men who beat their spouses.

In 1986, this government made a commitment to end family violence. The province is currently spending hundreds of thousands of dollars on advertising campaigns to end spousal abuse, but it is not financing the programs which treat the individuals responsible for these crimes. The life or death of Changing Ways now rests with the United Way, whose intent from the beginning was to assist with startup funding and not to assume too large a responsibility. Provided temporary funds are received from United Way, Changing Ways will be at least in the precarious position of having to rely on temporary funds just to stay afloat.

Considering the vast amounts of money this government is pouring into spousal abuse campaigns, it is appalling that the fate of Changing Ways goes virtually ignored.

I am greatly concerned that the Ministry of Community and Social Services and the Ministry of Correctional Services are prepared to let a program like Changing Ways die when it has proven to be so vital to the rehabilitation of wife abusers and in the prevention of this crime. Battered women and children will be the big losers if Changing Ways closes at the end of June.

GIOVANNI CABOTO DAY

Mr. Leone: Proclamation of Giovanni Caboto Day:

Whereas, Giovanni Caboto was a skilled navigator who was admired and revered as an expert mariner and ingenious craftsman of maps and globes; and

Whereas, this world renowned Italian adventurer with a crew of 18 men in the ship, Matthew, landed on the eastern coast of Canada on the morning of June 24, 1497; and

Whereas, Caboto's tenacity and perseverance culminated in the discovery of our continent and ultimately Canada; and

Whereas, the daring exploits and deeds of this famous explorer are of great historical significance not only to Canadians but to the people throughout the world,

Therefore, on behalf of the government of Ontario, we are pleased to recognize June 24, 1988 as Giovanni Caboto Day and commend the

observance of this historically relevant occasion to the people of this province.

I take the opportunity also to thank and acknowledge the presence of the Honourable Romeo Ricciuti, who came from Italy, a member of parliament; the Consul General, Dr. Lajolo; Manlio D'Ambrosio, president of the National Congress of Italian Canadians; and people of the Italian community who are here to acknowledge this great day.

ACID RAIN

Mrs. Grier: In November 1987, the Provincial Auditor revealed his concern that the Ministry of the Environment had chosen not to verify the monitoring data submitted by Ontario's four largest contributors of acid rain emissions under the Countdown Acid Rain program.

In February 1988, the standing committee on public accounts reviewed the auditor's findings with officials of the ministry. Ministry officials indicated that once the ministry "had learned of the auditor's intention to report this finding, it recognized that an independent monitoring system would be required." That is an interesting way to phrase it. It perhaps means that if the auditor had not been going to report his findings, nothing would have changed at the Ministry of the Environment.

In February, the ministry said that since November, 1987 it had been doing independent testing and would continue to do so. It is surprising, therefore, to receive a summary and analysis of the fourth progress report of Ontario's four major sources of sulphur dioxide and find absolutely no mention in it of the independent verification of the industry's submissions. This is a progress report to January 31, 1988.

Fortunately, the public accounts committee had the foresight to request the ministry provide a comprehensive report describing the monitoring that has been occurring since November 1987.

I look forward with interest to that documentation. Let's see the actual data from the Ministry of the Environment. The people of Ontario no longer want to take the polluters word for it that Countdown Acid Rain is working.

TORONTO AREA TRANSPORTATION

Mr. Cousens: This is the Legislature's day to spend some time on transportation issues and the Minister of Transportation (Mr. Fulton) is bringing in three bills. The Highway Traffic Amendment Act is under review, the Ontario

Highway Transport Board Amendment Act and the Truck Transportation Act.

Once per year we will spend some time on transportation in the Legislature, but every day the people in Ontario are having to fight the traffic problems that exist in coming in and out of Metropolitan Toronto.

It would really be good if this government would begin to take seriously the problems that exist on the Don Valley Parkway, Spadina, Highway 401 and on the Gardiner Expressway. Why is it this government does not begin to put some of the money back that people are giving to the government?

This government has increased the cost of a car by increasing the Ontario retail sales tax by one per cent. This government is collecting more money now than ever before, than any other government in Ontario, on gasoline taxes, yet is not putting the money back into the construction of roads or into transit systems to help the commuters who are coming in and out of Metropolitan Toronto.

1340

Why does this government not begin to take seriously the need for better transportation services around Metropolitan Toronto? Why does it not begin to make this an issue that is of importance to people in government? It is to the commuters. Anyone who is fighting this whole transportation system every day, like those of us who live outside of Metropolitan Toronto in the greater metropolitan area, expects to have more than we are getting.

TEACHING PROFESSION

Mr. Owen: Teachers at both elementary and secondary school levels have expressed concern to me about the effect of the Mulroney-Reagan trade deal on their profession. All of us have heard of the concerns about the effect of the trade deal on farmers, on factory workers and on energy consumers, but what about teachers? The average salary of a teacher in Ontario runs around \$42,000 a year.

Let's look at teachers in the United States. The average salary for a teacher in South Dakota is \$18,100, but that is the lowest state. The average salary in the United States in 1986 was \$24,800 for elementary school teachers and \$26,100 for secondary school teachers. That means there existed a spread of over \$16,000 a year, on an average, between teachers' salaries here and in the United States.

We have all heard the debate about the trade deal leading to a level playing field. How can we

maintain such higher salaries and still remain competitive? Taxes pay the teachers both here and there. If our industries must pay out for salaries which are so much higher, then how can they produce goods as cheaply? The discussion is worth while. We should look at all the angles.

However, Canadians and Americans are different. We have different priorities. The people of Ontario regard education and teachers as most important. We would never want to see our quality of education put in jeopardy. Trade deal or no trade deal, Ontario will want the best for its children.

FIESTA WEEK

Mr. Breagh: I am sure all members would want to know that this week is Fiesta Week in Oshawa. It is the oldest multicultural festival in Ontario; it is in its 27th year. Yesterday they had a great parade and a great concert at the Civic Auditorium.

For those members who enjoy multiculturalism at its finest, we ask them to come to Oshawa all week long. We will feed them, we will entertain them and we will give them an opportunity to enjoy what has made Oshawa such a great community, and that is the strength that comes from each and every one of our citizens recognizing his own cultural identity, his own cultural roots and being so proud of that and very anxious to display all of that to all of our citizens.

Members are welcome to come. Let them bring a hearty appetite and an open mind and they will have a great time in Oshawa all week long.

STATEMENT BY THE MINISTRY

WORKERS' COMPENSATION

INDEMNISATION DES ACCIDENTS DU TRAVAIL

Hon. Mr. Sorbara: Later today I will be introducing for first reading a bill to make major changes to the workers' compensation system, changes which respond to the long-standing concerns of injured workers and employers alike.

The bill will provide fairer compensation for workers who suffer from permanent disability as a result of workplace injury or illness. It will emphasize the goal of helping injured workers return to the workforce earlier and more successfully. It will oblige employers to reinstate injured workers in their jobs. It will impose new obligations on the Workers' Compensation Board to provide injured workers with timely access to vocational rehabilitation services.

Le projet de loi prévoit des indemnités plus équitables aux travailleurs souffrant d'invalidité permanente entraînée par une blessure ou une maladie liées au travail. Le projet de loi contribuera grandement à atteindre l'objectif visé, qui est d'aider les travailleurs blessés à retourner sur le marché du travail dans un laps de temps plus court et avec plus de succès. Il obligera les employeurs à réintégrer les travailleurs dans leur fonction. Il imposera de nouvelles obligations à la Commission des accidents du travail afin d'offrir aux travailleurs accidentés des services de réadaptation professionnels.

As it now stands, the system of workers' compensation in this province is not keeping up with a major purpose for which it was originally established, and that is to restore the financial position of injured workers as close as possible to that which existed prior to their injury. For too many injured workers, the level of pension benefits has been inadequate to cover lost income.

The workers' compensation system is also failing to make sufficient headway towards a goal to which society must attach increasing importance, that is, to help injured workers to return to work and to earn a living on their own. Thousands of injured workers with an unfulfilled desire to return to work offer proof of that.

The time has come to ensure fairness in workers' compensation. The time has come to provide greater opportunity for injured workers to return to active employment. The time has come to act.

Honourable members are aware that the issues of fair compensation and opportunity for employment have been the subjects of considerable study in recent years. The government's recent task force on vocational rehabilitation called for better access to vocational rehabilitation and early intervention by the Workers' Compensation Board to make sure injured workers receive timely and more effective rehabilitation services.

As well, over the past 10 years, several studies, a white paper and an extensive examination by a standing committee of this Legislature have called for a dual-award system, a system which separately compensates injured workers for economic and noneconomic losses suffered as a result of an occupational injury.

The issue has been studied thoroughly. We have sought people's views. Now we must make changes that are required to restore fairness and to increase opportunity for workers who have suffered workplace injuries. I would like at this point to apprise members of specific improve-

ments in the workers' compensation system which will result from the bill I will be introducing today.

First, the bill will put into place a dual-award system for workers with permanent disabilities suffered in the workplace. This reform will bring fairness and certainty to workers' compensation in Ontario. Under the old system, compensation bore no particular relationship to the loss of earnings experienced by the injured worker. The new system will correct that situation. It will compensate workers for the economic losses they suffer as a result of a workplace injury. It will also explicitly recognize, for the very first time, the noneconomic losses associated with permanent injuries.

The amount of money workers receive for noneconomic losses will vary with the degree of disability and their age when the injury is suffered, up to a maximum of \$65,000. Workers with a noneconomic award greater than \$10,000 will have the choice of a lump-sum payment or a comparable lifetime pension. At the same time, they will be awarded benefits based on their lost earning power. Workers will be compensated for their loss of earning capacity through regular payments set at 90 per cent of their projected economic losses. Like all WCB payments, these will be tied to the consumer price index.

The level of benefits will be set within a year of the injury and reviewed twice, two years after the original assessment and then three years later. In addition, workers will be entitled to apply for a review if their physical condition unexpectedly deteriorates.

The new workers' compensation system will also compensate for the loss in capacity to save for retirement. Workers receiving compensation for lost earnings will be entitled to a retirement pension from the board at the age of 65 to replace their disability payments. To finance the retirement pension benefit, the WCB will contribute an extra 10 per cent of the value of a disability claimant's compensation for lost earnings to a separate retirement pension fund.

The new approach of tying compensation much more closely to economic losses means we will finally be able to throw away the meat chart as the basis for determining compensation awards. Finally, people who have been permanently disabled are going to be treated as human beings, and that is simple justice.

I should also emphasize that the individual financial implications of this change will vary, depending on the impact the injury has on a worker's ability to earn a living. Some workers

who are injured in the future will receive more money than they would under the old system; some will receive less. But all of them will receive what they need to make up for their loss of earning power and all will receive benefits that recognize the noneconomic losses resulting from their injuries.

1350

During the past decade, Quebec, Saskatchewan, New Brunswick, Newfoundland and the Yukon have put a dual-award system into place. Quite simply, it is the fairest system for all concerned and the one that lends itself to most efficient management.

The bill also protects lifetime, inflation-indexed pensions for the approximately 116,000 workers who currently receive compensation under the old system for permanent partial disability. But we recognize that roughly 20,000 people currently receive pensions which fall short of their actual loss of earning power.

For this group of injured workers, the legislation will provide for supplementary payments equal to the full monthly pension payable under section 3 of the Old Age Security Act. These payments will be adjusted monthly for inflation and reviewed on the same basis as those provided under the new system. These men and women provide, I believe, the most eloquent testimony of the pressing need to reform workers' compensation in this province. The need for reform becomes more pressing for them with every passing day.

There is also considerable urgency in dealing with the second major area this bill addresses; that is, the need to redirect the emphasis of the workers' compensation system to the goal of helping injured workers return to the workforce.

We want to make sure that an injury at the workplace does not mean permanent exile from the workplace. Under the old system, the opportunity for the injured worker to return to his or her job was, in many cases, a matter of chance. The new system will make it a matter of priority.

The new reinstatement obligation on employers will apply for injured workers who have at least one year of continuous service in the job they performed prior to their injury. The obligation will remain in force for up to two years after the injury takes place.

Workers who are unable to perform the job they held before suffering the injury will be entitled to an offer from their employer of the first suitable job that becomes available. An employer's failure to meet this obligation will result in financial penalties equal to 90 per cent of

the worker's pre-injury earnings for a year. This provision will apply to all businesses except those with fewer than 20 employees and industries such as construction, where work patterns make it impractical.

The bill will require employers to contribute to injured workers' health care, life insurance and pension plans for up to one year after the injury, provided that the employee maintains his or her share of the contributions. These contributions will be at the same levels as they were before the injury. In this way, the relationship between employers and employees will be maintained after the injury—an important step in positioning the injured worker to be able to return to work.

The WCB will be required to make contact with injured workers within 45 days of their injury and provide prompt rehabilitation services where appropriate. Injured workers who have not returned to employment within six months of an injury will be entitled to a formal evaluation of their need for vocational rehabilitation and to subsequent appropriate services.

The bill also deals with the need to revise the ceiling on financial compensation for injured workers. Under the old legislation, the maximum gross earnings upon which benefits are calculated and assessments determined is \$35,100 per year, or approximately 140 per cent of the average industrial wage. The annual earnings of about 470,000 workers in Ontario are greater than that.

The new legislation will raise the ceiling to 175 per cent of the average industrial wage, which would currently come to approximately \$44,000 per year. The increase will take place in two steps. During the January following the proclamation of the amendments the ceiling will be raised to \$40,000 per year; one year after that it will be increased to 175 per cent of the average industrial wage.

L'impact financier général qu'auront ces réformes n'engendrera pas de nouveaux revenus. Elles permettront de redistribuer l'argent à l'intérieur du système d'indemnisation du travailleur afin de compenser les pertes d'éventuels gains et nous aidera à concentrer nos efforts sur la réadaptation.

There remain many other significant issues related to workers' compensation in this province, issues which require discussion and consultation as a basis of further reform.

For that reason, the Ministry of Labour will publish a green paper next year. The paper will address such issues as the adjudicative process, procedures within and around the Workers'

Compensation Board, the implication of the workers' compensation system for small businesses and the methods of recognizing and adjudicating industrial disease compensation claims.

Our goal is clear. It is to provide fairer compensation and fairer certainty for employees and employers alike. The bill I will be introducing later today is a major step towards that goal.

RESPONSES

WORKERS' COMPENSATION

Mr. Mackenzie: The announcement of the Minister of Labour (Mr. Sorbara) today could probably justifiably be called big promises and little justice. Just over three years ago, the minority Liberal government promised injured workers and their families that it would reform the unfair, unjust, discriminatory, arbitrary and bureaucratic workers' compensation system.

Thirty-seven months and a Minister of Labour later, the large Liberal majority has given birth in the swamp to a legislative mouse. The changes announced today are much less than is being claimed on their behalf by the Liberals' second Minister of Labour and chief apologist for the Workers' Compensation Board.

Even an initial reading of today's announcement indicates the changes are fundamentally flawed in key areas. The whole legislative reform package has been designed to cost exactly the same as the current system. This means that any economic benefit under the new system comes from reduction elsewhere in the system. Principally, today's package will give more to younger workers at the expense of older workers and retirees. This is unacceptable.

The notorious meat chart, probably the most dehumanizing, degrading and offensive aspect of the entire existing system, is not being done away with, as the government claims. It has only been renamed as an impairment rating and will determine the amount of noneconomic benefits for which an injured worker is eligible.

The provisions for reintegration are weak, discriminatory and fraudulent. They do not apply to construction workers, who account for a disproportionate number of disabling injuries.

Because the employer's obligation extends for a maximum of two years after an injury, many difficult cases, which often take more than two years to stabilize, will not be covered. An employer who refuses to comply can buy out his obligation for less than the injured worker's annual pay. I suggest, in back injuries and some

others, that that is exactly what will happen with some of the major concerns.

Disputes over reintegration will be decided unilaterally by the WCB and will not be appealable to the Workers' Compensation Appeals Tribunal. The minister is promoting yet another green paper which will address the adjudicative processes and procedures within and around the WCB. That is the last thing on earth we need, another time delay in terms of the long delays that are there now.

I and my New Democratic Party colleagues will be highlighting these and other failings in the proposed legislation in the days to come, but we promise this government that it is in for a major battle in the Legislature and across the province if it thinks it can get away with this kind of ripoff of injured workers and their families.

Mr. Harris: I want to respond initially to the statement that is made today by the Minister of Labour. I want to share some of the concerns of my colleagues of the New Democratic Party and I want to reiterate a few others.

I guess this report reminds me a little of this government's approach to rent review and to other types of social programs it has brought in. They have all the right buzzwords. They say they are doing away with the meat chart. As has been pointed out by the member for Hamilton East (Mr. Mackenzie), it is still there. It has been replaced with the appropriate buzzword and a new name. I guess "impairment rating" is what it is called now.

1400

Aside from that fact, I think the dual-loss part of it, perhaps with some refinement, some hearings, some fine-tuning or major tuning, can be brought into the 20th century, as it should be. Change in that area is something that has certainly been supported by employers, employees and unions alike.

But in the second part, where we deal with rehabilitation, there are a couple of pronouncements that say that within six months something has to happen. There is nothing in the statement today that tells how this is going to happen. I have not had a chance to review all the legislation, but I suggest there is nothing in the legislation on this whole end of rehab that says it cannot be done now.

In effect, I hear some pronouncements from the ministry saying: "We are going to improve the service. The way we are going to improve it is that we will have a mandatory hearing." I do not have all those dates in front of me, but after 45 days somebody has to contact the worker. In

other words, if somebody has got lost in the system, a contact will have to be made. The next point, I guess, is that within six months something has to be recommended in the way of rehab. Employers, injured workers, unions, all of those with concerns about the Workers' Compensation Board system, have been saying for a number of years, in study after study initiated in the late 1970s and the early 1980s, that rehab is not working.

But the minister has not said anything today, nor in my view is he putting anything into legislation, that says it is going to work. I think if he were serious about it, he would make it work. He would put more dollars into it. He would put more resources into it. He would do what he says he is going to do.

All he has done today is to say, "We are going to do this." I do not understand why he does not do it. There is nothing in the existing legislation that says he cannot do it. There is nothing in the existing legislation that says the Workers' Compensation Board cannot do it. There is nothing today, in regard to what employers or workers are asking for, that says it should not be done. I think I concur up to this point with my colleagues to my right—positionally, perhaps not philosophically.

The minister has also not addressed any of the serious problems. There is nothing to address the very serious leakage that has been identified in the workers' compensation system, the unfunded liability of some \$6 billion. Every major study has identified problems with some severely disabled workers who cannot return to their jobs and are getting less than they deserve, we agree with that; however, I think it is also fair to point out that pensions have been awarded routinely to people who return to their jobs and who are being overcompensated some 80 per cent, they say, on those pensions; most studies identify that.

All the minister is talking about is putting more money into the system there. We do not see anything he has talked about that is going to improve rehabilitation, other than a couple of—

Mr. Speaker: The member's time has expired. That completes the allotted time for ministerial statements and responses. Oral questions.

Mr. D. S. Cooke: Mr. Speaker, we would like to stand down our leadoff questions. We are awaiting the Premier (Mr. Peterson).

An hon. member: Here he comes.

An hon. member: Here he is.

Hon. Mr. Peterson: They need only summon.

Mr. Breagh: It is about time. You are a little slow. We had to snap twice.

ORAL QUESTIONS

TRUCKING INDUSTRY

Mr. Morin-Strom: My question is to the Premier. While saying he is opposed to the Mulroney free trade deal, the Premier is now unilaterally opening up the \$3-billion Ontario trucking industry to a potential American invasion. The Mulroney-Reagan trade deal exempts transportation services, but the Liberals' Bill 88 sets out to deregulate the Ontario trucking industry and create a wide-open market for the American trucking firms.

Surely this is a case where the Premier should be asserting provincial jurisdiction instead of handing over a key sector of the economy on a silver platter. Why has the Premier opted for full deregulation, for full free trade, for full Americanization of this important industry?

Hon. Mr. Peterson: I do not believe the honourable member's analysis of the situation is correct. This is a discussion that has gone on for some long period of time in this province, as my honourable friend will know. It inserts reciprocity. It also deregulates in Ontario and, we believe, will bring down the price of shipping, which my honourable friend knows is so expensive here.

There have been extensive consultations for the last several years on this particular matter, and I think my honourable friend will agree that the majority of the people who are involved in transportation or who use that as an essential component of their manufacturing or resource operations think this is a good thing and in the national interest. It does not give any privileges to Americans that we would not enjoy reciprocally, and we still reserve the power to license.

Mr. Morin-Strom: In a case of Ontario having the right of jurisdiction, the Premier keeps trucking down the free trade road. In its headlong rush for deregulation, this government continues to give the Americans everything. One of northern Ontario's largest trucking firm puts it this way:

"Manitoulin Transport is not in favour of Bill 88, as we think it spells higher rates and poorer service to the majority of shippers and receivers in northern Ontario...Rates will increase to small towns and villages and service will decrease."

Bill 88 gives us the worst of both worlds; we will have less service and higher rates and our industry will be run by the Americans. Why will the Premier not stand up for this important

Ontario industry, for the workers in it and for the communities served by it?

Hon. Mr. Peterson: I do not share the analysis put forward in the House by my friend opposite. I think the contrary of that is the case: I think that as a result of this we will see more competition and we will see prices go down. As the member knows, it has been a highly regulated industry and some people have taken advantage of that situation to increase their own profits. One of the things we have to do, regardless of the trade agreement, is make sure we are competitive internationally, and this is part of our program to so do.

Mr. Pouliot: While the Premier talks about reciprocity, the facts point in another direction. For instance, while American companies will have unlimited access to the Ontario market, Ontario truckers will not have unlimited access to the United States. In fact, 43 states have a sort of regulatory system which makes it extremely difficult, in most instances, for an outsider to operate in the United States.

The Ontario Trucking Association, with its 800 members, is prepared to accept Bill 88 if there is a reciprocity clause—it is right on top of this kind of legislation—that would give Ontario truckers the same access to the United States as we are giving American truckers to Ontario. Will the Premier commit to accepting an amendment to Bill 88 to protect the interests of the very people he pretends to defend?

Hon. Mr. Peterson: I appreciate the point the honourable member makes, but after wide consultation we believe we have sufficient protection in this legislation. We do not believe we are throwing open our trucking industry to foreign domination. If that was the case, we would not be doing it.

We believe this will allow our transportation sector to be far more competitive, and obviously reciprocity is an important part of that. I know some of the objections raised, but there has been extensive consultation on this, as my honourable friend knows, and we think it is going to be very much in our provincial interest to make sure we are competitive in all sectors.

1410

WORKERS' COMPENSATION

Mr. Mackenzie: I have a question of the Minister of Labour. I would like to know how the minister, in his announcement in the House today, can call this so-called legislative reform package a legislative reform package when it really is, to use his own words, "revenue neutral"

and will take away benefits from some workers to benefit others. Can the minister deny this?

Hon. Mr. Sorbara: I would say that this package is certainly the most substantial reform of the workers' compensation system since this House considered Bill 101 in 1984.

Let me tell the member that we were not out to find ways of spending more money or saving money. What we were out to do in designing the report was to create a package that was far fairer to injured workers. That is why we are raising the ceiling on insurable earnings. It simply was unconscionable to say to a worker who earns \$45,000, for example, that for his purposes, if he is injured in the workplace, we will deem him to be earning \$35,000.

That is why we concentrated so heavily on early reintegration into the workplace, helping the worker get back to work. The obligation to re-employ is there. The obligation to provide a vocational rehabilitation assessment is there. A new dual-award system is there, which will use the resources that the board derives from its rates and its assessments against every business in this province more effectively.

Yes, I say to my friend the member for Hamilton East, there are certain workers who, under the new system, will get smaller pensions; but those are in situations where the worker has been injured, has returned to work, keeps earning what he earned before and really does not need a pension.

Mr. Mackenzie: The minister admits that he is simply juggling the money that is there and that there are workers who are going to lose under this. Does the minister not agree that what he has really done in this announcement is not got rid of the notorious, so-called meat chart but just switched it over to an impairment rating system?

Hon. Mr. Sorbara: No, that is not the case at all. I appreciate that my friend the member for Hamilton East has had only today to have an opportunity to look at the bill, but his suggestion actually is not correct.

Let me point out, because it is important to make this point, that no worker who is currently receiving a pension will have that pension reduced. No worker whatever will have his pension reduced. A good number of workers, some 20,000 workers who are currently receiving permanent partial disability pensions, are undercompensated. The bill does provide additional compensation through supplementary payments for that community of injured workers.

Under the new system, the compensation for the real loss in earning capacity will not be based

on a meat chart or some clinical assessment rating; it is going to be based on the impact of that injury on that worker in that workplace. The pension that the worker gets will be designed to replace that earning capacity; in other words, to put the injured worker back in the place he would have been had it not been for the injury.

I think that is a just system. I think that is a system that has long been needed in this province, and I am glad we are introducing a bill today that will give it to us.

Mr. Mackenzie: How can the minister talk about enhanced provisions for reintegration when it does not apply to construction workers, when two years is the maximum—and he knows the difficulty in establishing some of the cases—and when an employer who refuses to comply can simply buy out his obligation for less than the injured worker's annual pay?

How can the minister call this an improved reintegration package? And why the further green paper study? It was eight years ago in this House that we had our first study, and we have gone through innumerable studies since on the procedures and processes at the board. Why yet another green paper?

Hon. Mr. Sorbara: Those, as well, are important questions. I would like first of all to deal with the situation regarding construction workers and why the statute specifically excludes construction workers from the provisions with respect to the obligation to re-employ. I think my friend the member for Hamilton East already knows the answer, but it is important to make sure everyone in this House knows the answer.

The fact is that the largest part of the construction industry, the unionized construction worker, does not have the same sort of normal employment relationship that most workers in this province experience. He or she works through a hiring hall. For one month, he or she might be working for one employer; then that job ends and that worker goes back to the hiring hall, and for six months he is working in another place and on and on. The very structure of construction and of the construction industry does not really provide a context to deal with reinstatement.

I should also like to say with regard to construction workers that these new provisions which replace the real earning loss a worker suffers in the workplace will benefit construction workers more than any other group in the entire province. It is the construction worker who perhaps lost a limb or the sight of an eye who got clinically rated and got a pension of, say, 10 or 15 per cent; that construction worker could not go

back to the job because of the nature of the work and he got a pension that did not compensate him. This new package will provide the real compensation that that worker experiences—

Mr. Speaker: Thank you.

Mr. Harris: I wonder if the Minister of Labour can confirm some of the estimates we have been given today, that exempting construction work and like industries—we have not had an identification of what else might be involved specifically—and all those with 20 or fewer employees will eliminate upwards of 80 per cent of the injured workers currently in that rehabilitation type of situation. I wonder if the minister could confirm that or tell us what his estimate is.

Hon. Mr. Sorbara: I think the member for Nipissing is directing his question towards the obligation in the bill for employers to re-employ. I should tell him that this is a powerful obligation. Not very many jurisdictions have incorporated this obligation. The notable exception is the province of Quebec, where the system is working quite well.

I have already explained to the member for Hamilton East why we have excluded construction workers: it is the nature of that industry. We have also excluded small businesses for one very simple reason. If the member reads the statute, he will see that the employer has to hold that job open; that is pretty powerful stuff in a statute. You have to keep that position open for the injured worker, so you are very anxious to help with the rehabilitation in order to get that worker back to do what he or she really wants to do, and that is to get back to work.

We have exempted small businesses, businesses with 20 or fewer employees, because we felt, in our own estimation, it was too much to ask small businesses, by and large, to hold a position open for up to two years for a worker who suffered an injury in the workplace. But we think the vast majority of workers will be covered by this, and the vast majority of injured workers will be the beneficiaries of it. It is going to get them back to their jobs far more quickly than under the current act.

Mr. Harris: The question was about some estimates this morning indicating that the figure, on the current experience, is 80 per cent. I find it very difficult to believe that the Minister of Labour would not know exactly what the breakdown is of the current experience factor. My question was, could he confirm the 80 per cent? If he thinks it is not 80 per cent, can he tell us what it is and the figures that is based upon?

Hon. Mr. Sorbara: It is very difficult to estimate with any certitude how many workers will be able to take advantage of this reinstatement provision.

Mr. Harris: We're talking about right now; how many are there?

Hon. Mr. Sorbara: My friend the member for Nipissing is mixing, with all due respect, apples and oranges. The re-employment provisions, I tell my friend, are separate and distinct, very distinct, from the rehabilitation provisions. I can tell him with as much as 90 per cent accuracy, I think, that there are currently 116,000 permanent partial disability pensioners; 116,000 people in the system.

Mr. Harris: Where do they come from?

Hon. Mr. Sorbara: Many of them obviously are back at work receiving their pensions. Our estimates suggest that we will be expanding very substantially—but I cannot give him a percentage—in the area of vocational rehabilitation, which, I remind him, is separate and distinct from the re-employment provisions.

1420

Mr. Harris: I will have to assume that the 80 per cent is probably pretty close. Instead of the wishy-washy stuff, I think the minister would have denied it or at least given the other figures if it were not close.

Given that and given that the legislation he brought in today provides no incentive to the employers for getting people back to work through rehabilitation, can the minister then tell us where the bulk of the problem is going to be in those industries and, including the other companies, can he tell us how much he is allocating through this legislation for "quick and effective rehabilitation" over and above what is being spent now?

Hon. Mr. Sorbara: Once again, the member for Nipissing is concentrating on rehabilitation provisions. I am glad he is, because I think—

Mr. Harris: It's the most important part.

Hon. Mr. Sorbara: He says it is the most important part. I would tend to agree that it is a very important element of the bill.

Let me just tell him that as far as the employer is concerned, with the statutory obligation on the Workers' Compensation Board to provide a rehabilitation assessment, that will bring the employer into the process. Our view is that that will put the injured worker himself, the board itself and the employer together to design an effective rehabilitation package that really does help the injured worker get back to work.

The member for Nipissing asks how much additional will be spent on rehabilitation, but he knows it is the Workers' Compensation Board which will be setting that budget. In our discussions with the board, the estimate is that substantially more will be spent as a result of this initiative. I tell him quite frankly that it is too early to estimate in terms of percentage or dollars exactly how much more.

MINISTER RESPONSIBLE FOR WOMEN'S ISSUES

Mr. Jackson: My question is to the Premier. He should be aware that the federal-provincial-territorial conference of ministers responsible for the status of women ran from June 7 through June 9. This annual meeting brings together provincial ministers involved with the status of women to co-ordinate strategies and exchange ideas.

His minister responsible for women's issues (Mr. Sorbara) knew about this conference six months in advance, yet Ontario was the only province not represented at this important forum, which included such agenda items as the national child care strategy and how ministers of labour could be more sensitive to women's issues.

Was the Premier aware that his minister responsible for women's issues was absent from this very important conference, where Ontario was the only province unrepresented?

Hon. Mr. Peterson: I believe I was; yes.

Mr. Jackson: The minister's absence at the federal-provincial conference might be excusable and might even be an isolated incident, if that were to be the Premier's response. However, since this minister assumed responsibility for the women's issues portfolio about nine months ago, he has missed all six meetings of his own advisory group, the Ontario Advisory Council on Women's Issues, despite having received two written invitations and four open invitations for the balance of those meetings.

It seems that the minister has not been attending federal meetings, nor has he been attending provincial-level meetings, not even meetings of his own advisory council. Was the Premier aware that his minister responsible for women's issues was not attending these important meetings?

Hon. Mr. Peterson: No; I do not follow his daily schedule.

Mr. Jackson: Had someone from the Premier's government been attending meetings of concern to the women of this province, he might have learned that his own advisory group on women's issues has been without a president for

the last nine months and that the advisory council has been allowed to dwindle from 15 to only 7 members.

The Premier would also be aware that it is customary in this province, when any agency, board or commission is under sunset review, that the terms or expired terms of office are usually extended to ensure that the agency, board or commission can continue to operate during that period of time. Yet his minister responsible for women's issues, the Premier's voice for women in this province—

Mr. Speaker: The question would be?

Mr. Jackson: —has not been attending those federal or provincial conferences or even ensuring the success of the advisory council.

Mr. Speaker: Do you have a question?

Mr. Jackson: Can the Premier still stand in this House today, with this information, and indicate that the minister responsible for women's issues has his complete and total confidence?

Hon. Mr. Peterson: The answer to my honourable friend is, absolutely yes. My honourable friend does not understand this government's approach to women's issues. It is part of every single thing we do in this government, I say with some pride.

Mr. Jackson: Your own minister stood in this House and chastised the federal government. You don't even attend the meetings.

Hon. Mr. Peterson: My honourable friend still suffers from that sort of Tory myopia of tokenism; he thinks that just by going to a meeting he is accomplishing something, and that is not our view.

We have an exemplary group of women in our cabinet, in very powerful and important positions, making decisions on all aspects of public policy. Our sensitivity for women's issues and the women's movement reaches into all aspects of public policy. Yes, there is one official spokesman, but the reality is, there are 30 official cabinet spokesmen for women's issues in this province and there are 94 caucus members who speak on this. I understand my honourable friend's not understanding that, but I can tell him this province has changed, whether he knows it or not.

Interjections.

Mr. Speaker: Order.

NORTHERN HEALTH TRAVEL GRANT PROGRAM

Mr. Hampton: My question is for the Minister of Health. The minister will know that

the northern health travel grant program was established to help individuals who need to seek specialized care to travel to urban centres where that care is available. It has had some success; however, an interesting situation is developing.

When individuals in northern Ontario now complete the application form for a northern health travel grant, it has to be signed by the referring doctor and then by the specialist doctor. People are being required to pay user fees of \$10, \$12 and \$15 to the referring doctor and then to the specialist doctor in order to have this form completed. I wonder, does the minister approve of this practice? Is this practice one that is sanctioned by the Ministry of Health?

Hon. Mrs. Caplan: As the member knows, the government launched a northern health travel grant program in December 1985. The program has been tremendously successful, and since that time there have been some modifications to the program. It is one that is constantly under review and it is one that I think has improved access to needed medical services for the people of northern Ontario.

Mr. Hampton: I will repeat the question so that whoever does write the answers will get it right this time. We all know how the northern health travel grant came into being. It was part of the accord between the government and this party. It was something that was pressed for for a great deal of time. We do not need that answer.

People are now being forced to pay \$10 and \$15 user fees to the referring physician and to the receiving physician in order to get the travel grant. What we want to know is, does the Ministry of Health sanction that kind of user fee?

Hon. Mrs. Caplan: As the member knows, insured services and any adjunct to insured services are considered to fall under Bill 94 if there is an additional charge. There are some legitimate administrative and uninsured services. I would be pleased to investigate the member's question to determine whether or not the filling out of these forms is considered an adjunct to an insured service.

1430

HAZARDOUS WASTES

Mrs. Marland: I was shocked that the Minister of the Environment did not come into this House today and make a statement regarding the discovery of thousands of decaying car batteries and drums containing possible toxic waste on a housing construction site in Pickering. The site at Brock Road and Highway 2 has been closed temporarily to protect the workers.

I would like to know what the Ministry of the Environment is doing to protect future home owners whose children will be playing in this lead-contaminated soil.

Hon. Mr. Bradley: As the member knows, when we have found lead, we have undertaken whatever activities are necessary to protect the people in that particular area. The Minister of Labour (Mr. Sorbara) is working in conjunction with the Ministry of the Environment to ensure not only that those who are involved in the construction of any project are protected but, of course, that the people who might inhabit any particular area in future are protected. Our ministry, along with the Ministry of Labour, is undertaking a very extensive investigation of this matter at this time and we will take whatever action is necessary.

Mrs. Marland: It is very interesting to hear the minister say that, because when we called the ministry this morning, its staff had no idea what was happening at the site. The municipality was under the wrong impression that the Ministry of the Environment had everything under control when, in fact, it does not. No one seems to know what is happening. These properties have already been sold to future home owners. The site is not only dangerous to those workers, it is dangerous to the future home owners and it is dangerous to the people working close by in the Pickering municipal offices. Most of all, it is dangerous to the environment.

I am wondering if this ministry is going to launch an investigation. I am wondering if it is going to provide some interim protection for those home owners who have sold their present homes in order to move into these homes that are now to be constructed. Of course, with the delay, they will not be able to move in on time, if at all.

Will the minister determine the extent of the pollution and how this former toxic waste site came to be sold for housing in the first place?

Hon. Mr. Bradley: As the member would know, we always undertake these kinds of investigations when matters are brought to our attention or when we are doing our particular investigations ourselves. I know that in the past the member's government allowed many practices that I would not want to see happening in 1988 if we were involved in the disposal of wastes in this province.

When we get into a situation where I hear people complain sometimes about the length of time it takes for us to process these matters, when I hear people complain about the fact that the Ministry of the Environment is too stringent, I

point to the kind of examples that the member brings to the attention of this House, examples of the way things were done in the past. We want to avoid the repetition of that through the practices that we undertake at the present time in the approval of sites and the manner in which we dispose of wastes in this province. Of course, I am aware of this matter, which has come to my attention—

Mr. Cousens: He's not answering the question, Mr. Speaker.

Hon. Mr. Bradley: Perhaps the member for Markham (Mr. Cousens), as the expert, has an answer for this question. I think most members of the House would recognize that I have, in fact—

Mr. Cousens: Garbage mouth.

Mr. Speaker: Order.

MUNICIPAL-INDUSTRIAL STRATEGY FOR ABATEMENT

Mrs. Grier: I too have a question for the Minister of the Environment. On Thursday the standing committee on public accounts tabled an interim report dealing with the Provincial Auditor's comments on the Ministry of the Environment, and as the minister was, unfortunately, unavoidably absent, I would like to read him the recommendation with respect to the municipal-industrial strategy for abatement:

"The committee wishes to emphasize that environmental protection cannot be allowed to await implementation of MISA. The committee recommends that the ministry vigorously use all instruments currently available to it so as to achieve the earliest possible reduction in the pollution of Ontario's waters. The committee also wishes to note its concern about the delays which have been experienced in implementing MISA, and recommends that the ministry continue to give this initiative the highest priority."

Can the minister tell the House whether he too is concerned about the delays in the implementation of MISA and, if so, what he intends to do about them?

Hon. Mr. Bradley: I find it most interesting that the member for Etobicoke-Lakeshore, who herself served as a municipal politician with some distinction not all that long ago, previous to her election to this House, would not be aware of the criticism that is forthcoming to the Minister of the Environment from municipalities across this province. They indicate that, in fact, we are moving too quickly in the implementation of the MISA program.

Some of the people who sit on these boards, who represent the municipalities through the Association of Municipalities of Ontario are, in fact, members of the New Democratic Party. I recall having representations made to me in Perth, Ontario, where they were extremely critical of the speed at which we were moving and the fact that we would not leave enough reactive time to the measures that we were presenting to them.

It is a very extensive program. I wish it could be implemented overnight. I wish I simply had to snap my fingers and we had it in effect. We are moving rapidly. I think what the member will see, as each of the sectors comes on line, is the experience of the last one will be of assistance in moving the others forward more quickly. We want to do it right. I think we could have rushed forward with it and not done as good a job as I sincerely believe the member for Etobicoke-Lakeshore and others in the House would like to see.

If the member asks, would I like things to be perfectly clean in Ontario tomorrow—and I am not belittling the suggestions she makes—the answer is yes—

Mr. Speaker: Thank you. Supplementary.

Mrs. Grier: MISA, as the minister well knows, covers 10 sectors. One of them is municipalities. There have undoubtedly been delays and the municipalities have contributed to the delays. But I do not want to address that in my supplementary; I want to remind the minister of the nine other industrial sectors.

In June 1986, when he released MISA, he said they would all be covered by monitoring regulations by mid-1988. In the fall of 1987, he updated that timetable and he said that all the industrial monitoring regulations except for iron, steel and metal casting would be released by June 1988.

All that we have seen so far is one monitoring regulation, that for the petroleum sector. We have nine days left in June, 1988. Are we going to see the six other regulations meeting the target the minister set for them—

Mr. Speaker: Minister.

Mrs. Grier: —or is there going to be a revised timetable that pushes MISA into the next century?

Mr. Speaker: Minister. I believe the question has been asked very well.

Hon. Mr. Bradley: I can assure the member that MISA will not be pushed into the next century. I think that is something that I can

reasonably say to the member. I am glad she was kind enough to leave me that much leeway.

I do want to say that I think, as we have that first one in place, the honourable member will see the others flow much more quickly. The experience we gain in terms of the reaction between the bureaucracy and the members of the environmental groups and, on the other hand, the industries themselves, indicates that the kind of interaction that has taken place in the first one will prove to be very valuable in implementing the other parts of the MISA program.

I think the member will be pleased when she sees the kind of progress that we see in this year of 1988. I always wish it were much more rapid than it is, but we get criticized very often if we do not listen to the representations made by environmental groups on the one hand or industry on the other hand, or if we have our people in the Ministry of the Environment subject these proposals to very detailed scrutiny. Because we have given a greater amount of time to the legitimate response of those questions, it has taken a little longer than we would like, but I think the final product will be much superior than it otherwise might be.

VAUGHAN GLEN HOSPITAL

Mr. Eves: I have a question for the Minister of Health. In April 1987, the ministry supported Bloorview Children's Hospital purchasing the property and buildings of Vaughan Glen Hospital. The parents of the multihandicapped children at Vaughan Glen were assured by the board that the hospital would continue to operate as before. As a matter of fact, the Ministry of Health increased the operating budget of Vaughan Glen Hospital. Yet in September 1987, her ministry supported the phasing out of the facility.

Is the minister in favour of, or is she against, keeping Vaughan Glen Hospital open?

Hon. Mrs. Caplan: The plan is for Vaughan Glen Hospital to be phased out over a period of five years and for the residents of that hospital and the families to be located in appropriate facilities.

1440

Mr. Eves: This is another example of the Ministry of Health's mismanagement and poor planning. When her ministry decided to buy Vaughan Glen, absolutely no kind of cost analysis was done by her ministry. This is something she and her ministry have continually harped that they should be doing at other hospitals in the province.

Once her ministry purchased the hospital, it became clear to its officials that renovations were necessary. The member for Markham (Mr. Cousens) and the minister's colleague the member for York Centre (Mr. Sorbara) have concerns that these beds must be maintained, especially in the light of the fact that there is already a serious shortage of chronic care beds in York region.

Would it not make sense to consider renovating or rebuilding Vaughan Glen Hospital as opposed to closing 120 chronic care beds in York region, where they are drastically needed, I might add?

Hon. Mrs. Caplan: It is very important to note that in fact at this time the residents of Vaughan Glen require special care. In many cases, they will require other appropriate institutionalized facilities and in some cases, hopefully, will be able to be moved out into appropriate community settings.

The chronic beds which are part of Vaughan Glen's facilities are filled by patients and residents, of whom very few—I think fewer than 30 per cent—actually are from York region. We have announced, as the member knows, chronic care facilities across this province. The intention is to replace the beds in this facility in appropriate locations and to make sure that the residents, along with their families, receive sensitive advice and assistance to make sure that the placements of those individuals are in appropriate facilities and that they are well cared for.

The Vaughan Glen facility is not one that would lend itself to renovation and it was deemed appropriate that this facility should not continue beyond five years.

HOSPITAL SERVICES

Mr. McGuinty: I have a question for the Minister of Health whom, on behalf of my colleagues, I welcome back from what I am sure was a very productive trip abroad.

The hospitals in the Ottawa region face a unique situation because for years they have served many thousands of patients from Quebec. Recently, the number of patients from Quebec using Ontario hospitals has declined, creating an impact on the budgets of the Ottawa-Carleton hospitals. Can the minister tell the Legislature what will be done to resolve this problem?

Hon. Mrs. Caplan: As the member knows, I met with the chairmen of the Ottawa hospitals and discussed this very issue not long ago. In some of the hospitals, when those institutions were built, up to 30 per cent of capacity was designated and made available for Quebec

residents. As the Quebec patients have been declining—a new hospital has been opened in Gatineau—the impact on the hospitals has been significant. Over the past few years, the ministry has acknowledged this and we are working co-operatively with the hospitals to resolve this issue, because it has an impact on the budgets.

It does point out, however, that since this capacity was originally intended for non-Ontario residents, it is important that the hospitals in the Ottawa area work with the district health councils to determine the future use of this capacity and work closely with the ministry to ensure appropriate funding before capacity is expanded.

Mr. McGuinty: I have a supplementary question for the minister. It is specifically about the Riverside Hospital of Ottawa, located in the heart of Ottawa South. Can the minister tell the Legislature what is being done to resolve the deficit situation without affecting the provision of essential services at the Riverside Hospital?

Hon. Mrs. Caplan: I am pleased to have the opportunity to respond to the member. I know about his concern and the concern of all members in this House, not only those from Ottawa. I repeat that we will maintain essential services in all communities across this province.

I met recently with the chairman of the board of the Riverside Hospital. We had a very good meeting and pledged to work co-operatively. It is interesting to note that in the Ottawa area as a result of the shortfall of Quebec revenues—the ministry has acknowledged this—in this year alone, some \$4 million in one-time payments to the hospitals has acknowledged the shortfall in those revenues.

We do see the need to resolve this in the longer term and are encouraging the hospitals in Ottawa to work co-operatively with the ministry, which they want to do, and with the district health councils, as we make sure that we can respond to the future needs of the residents of the Ottawa area.

LONG-TERM DISABILITY INSURANCE

Miss Martel: I have a question for the Minister of Financial Institutions concerning Sun Life Assurance Co. of Canada and an insurance policy that it offers to employers concerning long-term disability payments. Under the policy, Sun Life continues to pay monthly benefits to employees who qualify for LTD medically, which is normal.

However, Sun Life also deducts from those benefits the estimated amount of money the employee would receive if he or she were in

receipt also of Canada pension plan benefits. Therefore, even if the employee has only applied for CPP total disability and is not receiving it, Sun Life is still deducting an arbitrary amount to reflect the CPP payments from its own payments to the individual.

Can the minister explain to the House what right Sun Life has to offer and use this type of policy?

Hon. R. F. Nixon: No, I cannot. I appreciate the member raising this matter. The way she describes it, certainly if the person in receipt of the payments is having a deduction based on money that he or she is not receiving, it appears on the surface to be unfair. I would be glad to look into it and report to the honourable member.

Miss Martel: Sun Life was good enough to advise us that most insurance companies in fact are offering this type of policy in regard to long-term disability, so it appears that the problem is fairly widespread. I can give the minister the example of a Mrs. St. Louis in my riding who was awarded long-term disability benefits from Sun Life in May of this year.

Although she has applied for CPP, she is not in receipt of it and has no idea how long it will take. However, in the meantime, Sun Life is deducting \$485 a month from its payments to her, so that she will not have an overpayment when and if she does receive CPP payments.

Once again, when the minister is checking into this, will he guarantee that he will look at not only Sun Life but also a number of other insurance companies to see if this policy is indeed widespread?

Hon. R. F. Nixon: Yes, and I will report to the honourable member in the House when I can.

ONTARIO LOTTERY CORP.

Mr. McLean: My question is for the Minister of Tourism and Recreation. When he was commenting last week on the firing of Norman Morris, president of the Ontario Lottery Corp., and the recent problem with the Instant-win tickets, he said: "I don't believe it was just this particular matter—there have been some others."

Will the minister outline the other problems that exist in the Ontario Lottery Corp. that led to the firing of Mr. Morris, and the changes he is contemplating that he feels Mr. Morris was not competent to manage and implement?

Hon. Mr. O'Neil: I believe if the member had been at the interview in which those comments were made, he would have been made aware that there are presently discussions going on between Mr. Morris and his solicitor, and they will be

speaking with the government in regard to future discussions. I do not feel that it would be wise for me to pursue the matter further.

Mr. McLean: I asked the question about the other reasons, and the minister does not care to comment on any other reasons. I do not think the members here need an X-ray machine to see through the minister's answer. The minister's reluctance to provide the House with specific details of the other problems he has alluded to is simply unacceptable.

Does the minister not realize that by refusing to provide specifics on these other matters to which he has alluded, he has created uncertainty about the administration of the Ontario Lottery Corp., has made a case against Mr. Morris on nothing more than innuendoes and is allowing an important public corporation to hide the reasons why it dismissed its senior official?

Hon. Mr. O'Neil: I can assure the member that the Ontario Lottery Corp. will have ongoing discussions. Many of these matters are being looked at, and I can assure the member that the public should have full and complete confidence in the way we intend to run the Ontario Lottery Corp.

RETIREMENT COMMUNITIES

Mr. Owen: I have a question to the minister responsible for the Ontario Human Rights Commission. A number of people who live in retirement communities in my area tell me that one of the reasons they live there is because they appreciate the type of environment that is available to them and other seniors. They say they like to have their grandchildren visit, but they also like to see them leave.

They have expressed some concern to me that they have had some indication made to them that it may not be possible in the future to enforce the availability of this type of community to their age group. I am asking the minister today, is there some way in which we can ensure an age restriction through the Human Rights Code to assist these people to have the lifestyle they feel they have earned?

1450

Hon. Mr. Phillips: I thank the member for Simcoe Centre for the question. It is quite clear in the code that it is permissible to discriminate on the basis of age if one is 65 years of age and over. The code recognizes that seniors have some special needs and requirements, so for those 65 years of age and over it is clear and quite permissible to discriminate on the basis of that age.

Mr. Owen: Is there any way then that the minister could consider this restriction being lowered to those in their early 60s, or even in their late 50s, to accommodate these people who, for health or other reasons, have seen fit to go into this type of community for the amenities which it affords?

Hon. Mr. Phillips: The particular, specific question the member has raised is before the Ontario Human Rights Commission right now. There are several rental and condominium facilities across the province that currently have, the restriction of 55 years of age and over. There is a complaint before the human rights commission, and therefore I am unable to give the member a specific answer on that today, but the commission is dealing with that. There is the possibility, under certain circumstances, that the commission could rule that was permissible. As I say, it is dealing with that.

I might also point out, and the member may recall, that I indicated in the House that we have appointed a board of inquiry to deal with the issue of adult-only condominiums. That board of inquiry is meeting currently, and I will be able to report on that. I hope those two things will be of help to him. I cannot give the member the answer today, because the commission is dealing with both of those matters as we speak, but I should be of assistance to his constituents as I get those two answers out of the commission.

PROTECTION OF PRIVACY

Mr. Hampton: My question is for the Chairman of Management Board of Cabinet and concerns the Freedom of Information and Protection of Privacy Act. This act is supposed to ensure the protection of personal information about individuals held by government ministries and agencies. If the government is serious about the protection-of-privacy act, can the Chairman of Management Board explain why it is still possible to go to the Ministry of Transportation, pay a \$5 fee, fill out a simple application and then receive the name and the address for any plated motor vehicle in Ontario? Why is that still possible in view of the fact that it can disclose a lot of information that individuals otherwise want to be kept private?

Hon. Mr. Elston: There are other reasons, I suppose, for people to be able to get access to a piece of information with respect to that registered private information in the public forum. I have not discussed that particular issue with the Minister of Transportation (Mr. Fulton), but on

the raising of this question with me, I am quite prepared to speak to him.

Mr. Hampton: I am grateful to hear the minister's willingness to speak to the Minister of Transportation. This may be long overdue, though, because this problem, the fact that this kind of information is widely available, has gone on for two years. In fact, we have reason to believe that it is being used improperly.

We checked with the Ministry of Transportation people, and they told us that you need to give only simplistic reasons in order to have access to this information. There is agreement out there that a lot of this information is being used improperly. In fact, if somebody wanted to, it is all too easy to fill out the form and find out the name and address of a young woman, and once you have the name and address, you have the phone number. You can also use this system to effectively follow and watch someone.

Mr. Speaker: Your question please.

Mr. Hampton: When can we expect some changes in this system, since the government was aware of this problem two years ago? When can we expect some changes which in fact meet with the intentions and spirit of the privacy act?

Mr. Speaker: Order. Minister.

Hon. Mr. Elston: The particular policy falls within the mandate of the Ministry of Transportation, as the honourable gentleman knows. I realize that some of his colleagues, raised this on another occasion. I will take it up with the Minister of Transportation and advise, as much as I can, with respect to his deliberations.

The honourable gentleman also knows, I think, that it is important from other perspectives to be able to find out the information attached to particular licence plates. I know there is a very delicate balancing of public interest with respect to this particular question.

I will talk to the Minister of Transportation and see if he has considered dealing with the policy, which is clearly within his mandate and not that of the Chairman of the Management Board of Cabinet.

HOME CARE

Mr. McCague: I have a question to the Minister of Community and Social Services. I have many letters from constituents expressing their appreciation of the homemaking service of the Canadian Red Cross Society. This one in particular said: "For many months, indeed since July 1986, we have had help in our home from a homemaker. This has enabled us to continue

living here in dignity and with no dependence on others, either family or friends."

These people are both 90 years old and, as much as they are grateful for the help they have had and are receiving and wish to continue, they are concerned about the wages paid to the workers, who merit much more than minimum wage. What is the minister's response to my constituents?

Hon. Mr. Sweeney: The honourable member may be aware of the fact that just last week we released an interministerial report with respect to homemakers' wages and the rates we pay to agencies, for training and the whole package. It clearly indicates the same concern the member has raised.

I have indicated to both my critics that the Ministry of Health and ourselves, because we are the two major users of homemakers, are working right now on a response to that report. I am hoping that within a month or so we will be able to come up with something. Whether we will be able to do everything it asks, I am not sure, but we are working on it.

Mr. McCague: That is an interesting answer. The honourable member will know that this government is noted for reports, reports, reports and a long time for action.

It has been pointed out in other letters I have that the wages paid are not really more than those monthly cheques received by welfare recipients. I think people are genuinely concerned about not only the service being dropped, but the fact that, at very little over minimum wage, the Red Cross may not be able to hire people.

I would urge the minister to speed up the process. When does he think he might have an answer for these very concerned people?

Hon. Mr. Sweeney: Responding to the honourable member's opening editorial comment, I would remind him that the integrated homemaker program, which this government introduced two years ago, previously sat on the shelf for about five years, not introduced at all. That part of the program alone is going to cost \$40 million this fiscal year. That is brand-new money put into the system, money that was not even there at all.

The honourable member, as a former Chairman of the Management Board of Cabinet, would know that the Ministry of Health's homemaker program is even larger than that. I do not have an exact figure, but it is higher even than that again. There are a great many government resources in that program right now.

We concur with the member's opening statement that this does allow older people in our society to stay in their own homes or with their families for longer than they otherwise would do. It is something we want to support. We will move as quickly as possible. We do not want to see this program, in any way whatsoever, lose the impact it has been able to gain over the last few years, and of course it has been there for many years before that in another form.

1500

EMPLOYMENT STANDARDS

Mr. Wildman: I have a question for the Minister of Labour. Is the minister aware that, under the Employment Standards Act, employees can have their holidays cancelled by employers, even if it means a monetary penalty if they have made arrangements for reservations, and there is no recourse for the employee? If the minister is aware of that, is he prepared to change the law to make the employer at least responsible for any costs incurred by the employee as a result of the cancellation or postponement of the vacation?

Hon. Mr. Sorbara: The provisions under the Employment Standards Act deal with the private workforce and the holidays for the private workforce in two separate ways. For some industries, work on a public holiday is simply at the option of the worker, and the worker can refuse to work on those public holidays. For others in the workforce, if they are required to work on public holidays, there are specific provisions in respect of pay.

I think the member for Algoma is referring to something else, though, and that is the right of the employer to require employees to work after they have established holidays. My understanding of the act is that there is no specific provision prohibiting the employer from doing that, and certainly no provisions within the act that require compensation. I would want to look into that further before giving an absolute and definitive answer in that regard.

Mr. Wildman: My question was, would the minister change the law? Actually, I am going to be introducing a private member's bill today that will make employers responsible for any losses experienced by the employee when the employee is forced by the employer to cancel or change vacation plans after having received permission to take vacation at that time. Would the minister consider supporting my private member's bill?

Hon. Mr. Sorbara: I would say that it sounds like an interesting bill. I cannot tell the member

right at this moment that I would be prepared to support it. I do want to say to him though, that we are in the process of examining all aspects of the Employment Standards Act with a view, some time down the road, to introducing a comprehensive series of amendments to that act.

Certainly what he suggests sounds fair and equitable on the surface: that an employee should not lose the cost of a vacation as a result of the requirement to work when he or she has had permission to go on a holiday. That sounds reasonable and sensible, and perhaps after the member has introduced his bill, we will examine it more closely and see whether that bill is an appropriate candidate for inclusion in our package of amendments.

HAZARDOUS WASTES

Mr. Cousens: I have a question for the Minister of Housing on a question that was raised earlier by the member for Mississauga South (Mrs. Marland) to the Minister of the Environment (Mr. Bradley) regarding a problem with new houses being built at Brock Road and Kingston Road in Scarborough, a matter of very serious concern to anyone who potentially would be living on those lots with the environmental problems of lead poisoning. Already it is a concern.

The Minister of the Environment has side-stepped the issue and would not answer the question by our Environment critic. I would like to ask the Minister of Housing, inasmuch as this is a very serious concern to new home buyers and inasmuch as it is a housing problem, what is her ministry doing, when it comes to environmental concerns of this type, to make sure that the home buyer is protected and the environment is secure? Inasmuch as the Minister of the Environment is doing nothing, what is this minister prepared to do to help protect those people going into that area?

Hon. Ms. Hošek: It seems to me that the Minister of the Environment is doing his job, which is making sure that everything that gets done in this province is subjected, appropriately, to the kind of environmental review that is supposed to happen. I assure the member that is exactly what will happen in this case.

Mr. Cousens: I am just astounded, and I have to thank the member from Mississauga South for her concern and for her compassion for those people moving into that area, because it is obvious that this minister does not care. I have to tell members there has to be a concern and there should be one, and I want to ask the minister a

question. Why does the Ministry of Housing not take concern over all those areas that affect new home buyers? It affects the Ministry of the Environment, it affects the Ministry of Consumer and Commercial Relations. Why does this minister not take a lead role to help protect the new home buyers, rather than just sit back there and say that someone else is doing it?

Mr. Speaker: Order.

Hon. Ms. Hošek: I think it should be apparent to the honourable member that concern with the quality of housing and with the lives of the people of this province is not the responsibility of any one ministry.

The Ministry of the Environment appropriately takes on the responsibility of making sure that any environmental concerns that are raised with regard to housing or any other issue will indeed be dealt with, as I know they will and as the minister has said they will.

It seems to me that the Ontario New Home Warranty Program under the Ministry of Consumer and Commercial Relations has done an extremely good job in dealing with the problems of new home owners and the problems associated with building new homes.

The concerns the member shares with me are very real, but various parts of government take responsibility for them and I think that is the appropriate way for them to work.

Mr. Speaker: That completes the allotted time for oral questions and responses.

I see the member for Markham standing for some reason.

Mr. Cousens: I would like to withdraw the unparliamentary remark I made earlier in the House to the Minister of the Environment (Mr. Bradley). I apologize for that. That is not something I like to do.

PETITIONS

TEACHERS' SUPERANNUATION FUND

Mr. Tatham: "To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"To amend the Teachers' Superannuation Act, 1983, in order that all teachers who retire prior to 31 May, 1982, have their pensions recalculated on the best five years rather than the present 7 or 10 years.

"This proposed amendment would make the five-year criteria applicable to all retired teachers

and would eliminate the present inequitable treatment."

It is signed by myself and 55 others.

ST. CLAIR COLLEGE OF APPLIED ARTS AND TECHNOLOGY

Mr. D. S. Cooke: I have a petition regarding the layoffs and cutbacks at our community college, St. Clair College, signed by approximately 400 students at St. Clair College.

COUNSELLING SERVICE

Mrs. Cunningham: "To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We are appalled that Changing Ways (London) Inc., the only agency in London which provides specific counselling solely to men who batter women, is facing a funding crisis."

I have signed the petition and will turn it over to the House for the record.

RETAIL STORE HOURS

Mrs. Cunningham: I have one other petition.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We urge the Ontario Legislature not to pass legislation that would pass responsibility for regulating Sunday and holiday retail hours to the municipalities in Ontario. Rather, the Ontario government should revise its current legislation in order to uphold more strongly a common pause day across the province. We believe that a common day for family and worship activities is essential to the wellbeing of Ontario."

This is from the First Christian Reformed Church on Talbot Street in London, Ontario. There are over 300 signatures, and I have added my signature to the document.

TAX INCREASES

Mr. Harris: I have a petition signed by 2,432 persons from across Ontario which reads in part:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"The Ontario budget contains excessive tax increases, which are a direct attack on the middle class. I object, and I demand that you repeal them."

In another part it reads:

"Bob Nixon, you've gone too far."

I too have signed this petition.

Mr. Speaker: Have you checked that number personally?

REPORT BY COMMITTEE

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Mr. Fleet from the standing committee on regulations and private bills presented the committee's Second Report, 1988 and, pursuant to standing order 32(b), requested that it be placed on the Orders and Notices paper for consideration.

Mr. Speaker: Does the honourable member have a brief statement?

Mr. Fleet: Thank you, Mr. Speaker. I seek your largess in defining "brief."

Mr. Speaker: Generally, we consider one, two or three minutes brief.

1510

Mr. Fleet: I will live within the outer limits of that admonition.

It is said that the Emperor Caligula preferred to write his laws in very small letters and then hang them up on high pillars, the more effectively to ensnare the people. Today in Ontario those very small letters are thousands of regulations, rules and policy directives, and they are hidden on modern-day pillars: namely, the desks and shelves in government offices all over the province. If we are to have government without walls and without barriers, we need reform.

This report makes 44 recommendations for reform and has the support of members from all parties. It is the most thorough parliamentary review of regulation-making in Ontario in at least 20 years, and possibly since the Regulations Act was created over 40 years ago. These reforms are based on the principles of fairness, accessibility and accountability to provide greater public participation in the government, greater access by the public to government decisions and more effective parliamentary scrutiny.

Briefly, I will touch on the most significant recommendations, which involve changes in the Regulations Act and standing orders: (1) a requirement for 30 days' advance notice, written in plain language, of most draft government regulations; (2) a regulation registry at each ministry so that interested parties are sure to receive such notice; (3) a disallowance power in the Legislature to repeal improper regulations; (4) an expanded legislative scrutiny committee for both legislation and regulations to ensure parliamentary accountability; (5) an expanded definition of the word "regulation" to include

policy directives of a legislative nature; (6) a modernization of the Regulations Act, as well as the form of regulations; and (7) a citizens' code of regulatory fairness.

This report deals with fundamental issues about how both the government and the Legislature should pass laws. Accordingly, pursuant to standing order 32(d), the committee has requested a comprehensive government response to the report within 120 days. In addition, the committee seeks a prompt but brief debate so that all members will be better acquainted with the details of the report. I urge all members to support and the government to act on these recommendations.

INTRODUCTION OF BILLS

MUNICIPALITY OF METROPOLITAN TORONTO AMENDMENT ACT

Hon. Mr. Ward moved first reading of Bill 160, An Act to amend the Municipality of Metropolitan Toronto Act.

Motion agreed to.

EMPLOYMENT STANDARDS AMENDMENT ACT

Mr. Wildman moved first reading of Bill 161, An Act to amend the Employment Standards Act.

Motion agreed to.

Mr. Wildman: The purpose of the bill, as I indicated during question period, is to make employers responsible for any losses experienced by the employee when the employee is forced by the employer to cancel or change vacation plans after having received permission to take vacation at that time from the employer, and I would hope it would not have to await an overall amendment of the Employment Standards Act.

WORKERS' COMPENSATION AMENDMENT ACT

Hon. Mr. Sorbara moved first reading of Bill 162, An Act to amend the Workers' Compensation Act.

Motion agreed to.

Hon. Mr. Sorbara: I do not have any additional comments. I simply reiterate the comments that I made during ministers' statements on the importance of this reform package.

DEFERRAL OF VOTES

Hon. Mr. Conway: Before calling the first order, which will be the 30th order, this

afternoon, I would like to seek unanimous consent for an agreement that we have discussed earlier in these deliberations, that any divisions arising out of this afternoon's business in the House or in committee will be deferred until 5:45.

Mr. Speaker: The request has been made by the government House leader that votes be deferred until 5:45.

Agreed to.

ORDERS OF THE DAY

EMPLOYMENT STANDARDS AMENDMENT ACT

(continued)

Resuming the adjourned debate on the motion for second reading of Bill 114, An Act to amend the Employment Standards Act.

Mr. Speaker: The member for Nipissing (Mr. Harris) may have some further comments.

Mr. Harris: I will be brief. I had hoped we could have finished this last day. Perhaps had I not been as wordy as I was in one area of the bill where I had not planned to be, I could have concluded, the minister could have had the concluding remarks and we could have finished. I accept responsibility for being wordier than I thought I was going to be, and I think we can finish this particular bill today.

I do not want that unanimity of purpose over timing to suggest that I have had second thoughts over the weekend about the bill itself. In fact, over the weekend—

Interjection.

Mr. Harris: Well, there were a couple of other comments I wanted to get on the record, and I will do that. I know the minister probably has a big party with the injured workers, who want to congratulate him today.

Hon. Mr. Sorbara: No parties today.

Mr. Harris: I did not think they would want to congratulate him either.

Hon. Mr. Sorbara: I said, "No parties," but that's all.

Mr. Harris: I want to say that I met on the weekend with a couple by the name of Bruce and Sheila Bowes. I want to use a specific example, and I am sure other businesses in my community will not object to that, because I did stop in and talk to them on this very matter. In my view, theirs is typical of a small retail store. There are many smaller, there are many larger, but theirs falls in between. Actually, there are three stores in one—Man's World, The Big and Tall Shop,

and Compliments for Ladies. It is an excellent store, and one will find stores of very high quality service such as this in other communities across this province.

The reason it is representative and the reason I want to talk about it, and I alluded to it on Thursday, is the reality of what I think is this confrontation situation that is being set up between small store owners and their employees.

In this business, the two owners are in the store. They are actively involved. They not only manage and are involved in purchasing; they are involved in the store and on the floor, as are a number of their family members—daughters, sons-in-law and whatnot—so it is a family business. Then there are other employees who, while not related and who certainly do not have a vested family interest in the business, work for wages. But it all operates like a family. I think most stores of this type and size do. In a word, in my view, they are very typical.

They do not want Sunday shopping. They do not think the minister's legislation is going to work to prevent employees from having to work on Sundays. None of those employees are of the feeling that they are going to feel like that family if they say to the owner: "Look, we are not working Sundays. You guys do it."

1520

It is my view that while I am talking about one particular example, it is very representative of all small retail operations. They are not asking for legislation, and I guess I find this very ironic, to protect them from Bill 113. The ironic part is, what is the reason for Bill 114? It is to protect the workers from our Bill 113. The logical answer to that is to scrap Bill 113.

For the life of me I really cannot understand his thinking that we can buy the argument that this is protection. Protection from what? Protection from the government. We have to protect people from the Solicitor General (Mrs. Smith). I find it a very ironic sales pitch for this bill that the reason the Minister of Labour (Mr. Sorbara) has to bring in the bill is to protect employees from the Solicitor General.

That part of it bothers me more than any of the technicalities. You can argue about whether it is effective, whether it is meaningful, whether this arbitration process is going to work. In our view, it will not. In our view, it is mechanically like their rent control legislation. It will not work. In my view, it is a lot like socialism. It does not work. It has a lofty ideal. You can put down your principles and on paper it all looks great:

Everybody will share equally and it will all be wonderful. But it does not work.

Hon. Mr. Sorbara: Is this a leadership speech?

Mr. Harris: No, I guess not.

This is one of those bills that has a lofty principle. Would it not be nice if all the workers and all the employees could agree? Then if they do not, there is this arbitration; there is this step and there is that step. The bottom line of it is that this will work to a certain degree, I guess, in the large union shops, because they have already lost the benefits, in my view, of friendly familiarity and family co-operation. As workers, they do not have the disadvantages of that taking advantage of them. That is one of the reasons unions have evolved.

But in the types of businesses we are talking about—and the majority of the people who are involved in retail sales fall into this category—in my view, this bill is meaningless and really does not have any place on the books of the laws of Ontario.

In summation, we will oppose this piece of legislation. Obviously, we are not in favour of Bill 113, as we have indicated. We do not think Bill 114 makes Bill 113 any more palatable to us. It does not get at the principles. It tries to attack one of the symptoms of the problems of Bill 113. In our view, this bill may even cause far more problems than it solves by leading to an expectation, with all the headlines and all the press releases they are so good at, of retail workers out there saying, "This is great; we do not have to work on Sunday," without facing up to the reality that somebody has to work on Sunday, and in the little stores, who is that going to be?

I say to the minister that we really do think the bill is a charade. We think it is designed to help sell Bill 113, and other than making a statement of intent of trying to solve a problem, we do not think this piece of legislation is particularly worth while. We remain opposed to the bill.

The Deputy Speaker: If I remember well, shall we continue the entente you had the last time around not to have questions and comments? Is that still agreed to by all parties?

Agreed to.

The Deputy Speaker: Then do other members wish to participate in the debate? If not, does the minister wish to respond?

Hon. Mr. Sorbara: I am really delighted to be able to wrap up this debate on Bill 114, An Act to amend the Employment Standards Act, to afford

what I consider to be a very important protection to retail workers who may be called upon, in the absence of the bill, to work on a holiday as defined in the Retail Business Holidays Act.

As we wind up this debate on Bill 114, we really are finally wrapping up the debate on the amendments to the regulation of Sunday shopping and retailing on public holidays, including Sundays.

As I have listened to the remarks not only on Bill 114 but on Bill 113 as well, I have a sense that this is a rather important moment, because there has been a very substantial degree of debate, not only in this House—my goodness; how long did we go on with debate on second reading of Bill 113 here?—but all around the province.

I suspect that in 80 per cent of the households of this province, people have been talking about Sunday shopping. I would suggest that the message of the reality of what the government is doing with its amendments is finally getting out there. I think finally the people are realizing that the suggestions that we are going to have wide-open Sunday shopping are simply not true, that incorporating a local option within Bill 113 will not lead to a world where all the stores are open on Sunday.

The reason, by and large, is that the people do not want it. By and large, the people in this province have decided they will set aside this day.

Virtually every other sector is not regulated at all in respect of Sunday. Manufacturers are not prohibited from manufacturing on Sundays, yet most of our operations, certainly smaller ones, are not open. My own riding has hundreds and hundreds of small manufacturers. There is no provincial law which says they cannot manufacture on Sunday, yet they do not.

There is no law preventing wholesalers from operating their businesses on Sundays but, by and large, they do not, because it is the preference of the community. There is no provincial law or no local option which says you cannot work on a construction site on Sunday, yet the community has said, "Well, our preference is that work not happen on Sunday."

Similarly, when these new, effective amendments that the Solicitor General and I have put in place for two very important pieces of legislation come into place, by and large, that is the way the community will respond, with their local preferences.

I think of the service sector as well. I, as a lawyer, and architects: Nothing prohibits them

from working on Sunday. If you believe the official opposition and the third party, you would think we had better bring in a bill pretty soon prohibiting lawyers and doctors and architects from working on Sunday. Yet we do not have it and, by and large, the province, in those sectors, is quieter.

When we look at Bill 114, I hear the opposition parties saying again and again that our bills are really all about Sunday work and that what we are doing is creating an environment where everyone will be working on Sunday rather than resting. The fact is that there are all sorts of people who work on Sundays now, and our bills will not lead to a dramatic expansion of work on Sundays.

When my friend the member for Nipissing picks up the Monday morning paper, he must know there were people putting that paper together on Sunday so he could read the news Monday morning. When people go to a hockey match on Sunday, there are people there running that building and making sure the facilities are there so that hockey match can take place. When the hydro goes out on Sunday, there are Ontario Hydro workers there to make sure the interruption is as brief as possible. When you go to visit a relative in a hospital on Sunday, there are people working in that hospital.

1530

People are working on Sundays. When you call the police, they are there on Sundays. Indeed, when you go to shop, whether it be at a tourist outlet or at a gas station on your way up to the cottage or wherever, people are working on Sundays.

What did we say in conjunction with amendments to the Retail Business Holidays Act? We said simply that we want to afford to the retail workers of this province a measure of protection so that we can move towards a world where Sunday work in the retail sector is voluntary.

I hear on the one hand from the New Democratic Party a suggestion that there are really no rights in this bill, and on the other hand from the Conservative Party that there are too many rights, I think it said. They said how in the world can that work, with the small retailer not able to have his employees there?

I would like to advise this House, by way of a simple example, how Bill 114 really will work. I hope the member for Hamilton East (Mr. Mackenzie) is listening because I am saddened to think that his party would not afford the retail workers of this province his support in passing this legislation.

Let me give an example, a retail worker who is working, let us say, in a local drug store that employs 15 people. The employer, the owner of that drug store, can say to two of his employees: "Look, your hours up to this point have been Monday to Friday, nine to five. We've decided that we're going to open up Thursday nights till midnight, and instead of working Friday, Thursday, Wednesday, etc., all through the week nine to five, we're going to cut off some hours and have you work the late shift on Thursday night."

That is a pretty straightforward example. Under the Employment Standards Act, if the employer says that, the worker either has to say, "OK, I'll do that," or suffer the possibility of losing his job. If the worker says, "Listen, I don't want to have anything to do with Thursday night work," the employer can say: "I'm sorry, but those are your new hours. You've got to work Thursday night now."

Mr. Pouliot: You're saying they could get fired.

Hon. Mr. Sorbara: I am saying to my friend the member for Lake Nipigon that if the worker disagrees with that new schedule, he could get fired. What we have done here is say that same regime is not going to apply to Sunday. If the employer says, "Now look, from now on you're going to work five hours on Sunday afternoon," the employee can say: "Hold on a second. I don't want to work on Sunday and the law gives me the right to negotiate that with you, to set out some parameters. Until we have had a context in which to negotiate that, through the assistance of mediators in the employment standards branch, and through a referee if necessary, I do not have to comply with that."

That is what the act says, plainly and simply, that an employee can refuse what he considers to be an unreasonable assignment of Sunday work. Until that is negotiated and worked out, the employee, the retail worker, does not have to report and he cannot be fired or jigged around by his employer. He simply can say, "No, I have a right now under Ontario law, under Bill 114, to say no to that assignment of Sunday work."

Sure, there has to be a point where the issue is worked out, but at least the worker has an opportunity to bargain with his employer to determine what is reasonable and unreasonable in the circumstances.

My friend the member for Nipissing (Mr. Harris) has left the House. I guess he did not want to hear this. He was very concerned about this debate, but I guess he does not want to vote on the wrapup of it; perhaps he is back in the west

lobby. I say to him that this bill is also designed to work for those small employers who have small workforces.

Generally, those small employers work these things out anyway, but it would be inappropriate to say that we should not give those same sort of bargaining rights to workers in small enterprises. We think they will work them out. We think employers, retailers, will be able to accommodate their workforces so that Sunday work becomes, by and large, voluntary in the retail sector.

And now here comes the member for Nipissing to participate in the last few moments of this debate.

I say to all members of this House that Bill 114 gives the retail workers of this province the opportunity to say no. It gives them the bargaining power they need in order to work out a reasonable system for Sunday work. My expectation is that, by and large, we will not have an expansion of retailing in this province so long as the people of the province generally say they are not interested in it.

When we introduced this initiative, and at every step along the way, we have said we will afford protection to retail workers so that, by and large, in that sector, work on Sunday would be voluntary, would be as a result of choice, would be as a result of negotiation.

What we have done with Bill 114 is to deliver on that commitment. I am delighted to have participated in and to have wrapped up this debate on second reading of the bill.

The Deputy Speaker: Mr. Sorbara has moved second reading of Bill 114.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Hon. Mr. Conway: Mr. Speaker, we will defer this vote until 5:45 p.m.

The Deputy Speaker: As per the entente, this vote will be stacked at 5:45 p.m.

Vote stacked.

HIGHWAY TRAFFIC AMENDMENT ACT

Hon. Mr. Fulton moved second reading of Bill 86, An Act to amend the Highway Traffic Act.

Hon. Mr. Fulton: Today, I would like to introduce for second reading Bill 86 containing amendments to the Highway Traffic Act.

This legislation is part of a package of three bills that will significantly alter the regulation of commercial trucking in Ontario. It is no coincidence that Bill 86 is the first of these bills to be

introduced. Its position on today's agenda reflects the emphasis this government places on safety.

The primary concern of the government of Ontario is that all commercial vehicles on this province's roads and highways be driven and maintained at the highest possible standards. We are determined that highway safety will not suffer in any way from increased competition under the new regulations.

Among the safety initiatives included in the National Safety Code are the single-driver licence concept, commercial vehicle inspection and maintenance standards, daily vehicle trip inspections, hours of work regulations for drivers, and finally, the commercial vehicle operator's registration, more commonly known as CVOR.

CVOR will give us the mechanism to track the performance of commercial vehicle operators, and if necessary, to take sanctions against any operator who accumulates too many safety and operating infractions. The government is firmly committed to maintaining a safe highway environment for all users, and the measures called for in Bill 86 will help us fulfil that goal.

I would like to take a moment, if I may, to thank the member for Windsor-Riverside (Mr. D. S. Cooke), the member for Nipissing (Mr. Harris), the member for Sault Ste. Marie (Mr. Morin-Strom) and the member for Lanark-Renfrew (Mr. Wiseman) for assisting in bringing this very important safety bill before us today.

1540

Mr. Morin-Strom: I am pleased to speak on behalf of our party on Bill 86, An Act to amend the Highway Traffic Act.

This is a bill that does have the intent of improving highway safety. Certainly, we do not want to do anything to hold up this piece of legislation. That is why we are not only supporting this bill, but in fact have asked that the minister develop appropriate amendments to see that this bill is separated from the other deregulatory bills, Bill 87 and Bill 88, which we will be debating shortly.

We have some serious objections to those bills and we are going to be demanding that those bills go into committee so that public hearings can be held. However, there is certainly no intent and no desire on our part to hold up the passage of this bill. I think that with some minor amendments in terms of some references back and forth between this bill and the other bills, we could see this bill pass through third reading in the next couple of days, before this month is over. As a result, we

could see as soon as possible a bill that does improve highway safety in Ontario.

This is a bill that implements the highway safety code standards that have been agreed to on a national basis. These are initiatives that have been pushed very strongly as well by the trucking industry, which recognizes its responsibility to provide the public with safe operation. Certainly, it feels it is as much at risk on the road from unsafe driving practices as the general public is.

I will just express a few concerns on this bill in terms of the intent of a commercial vehicle operator registration system that will take effect once Bill 86 passes. I have heard some concern from the Ontario Trucking Association, and in particular from some smaller trucking operators, that the implications of assessing all driving offences from individual drivers against companies potentially puts a company's operation at risk, when in fact the company may have no control whatsoever over many of these offences in terms of individual drivers, and may not be related to safety at all.

I suggest that to protect the system from falling into the heavy hands of the ministry at some point in the future, the Ministry of Transportation should be issuing a policy statement that outlines the intent of the commercial vehicle operator registration system.

Perhaps we should be looking at the possibility that CVOR offences should be divided into two categories, one where safety is seriously impaired, and the other where safety is not a primary factor, and only those categories of information dealing with key safety factors should be available to other institutions such as banks where, for example, this information may be required in deciding on the granting of loans.

With those reservations, which perhaps the minister can address before we complete this second reading, I again express support for this bill which does strengthen the safety regulations across Ontario and brings them into line with federal safety regulations.

The Deputy Speaker: Questions and comments on the minister's statement? If not, do other members wish to participate in the debate? The member for Lanark-Renfrew.

[Applause]

Mr. Wiseman: I thank my colleague the member for Renfrew North (Mr. Conway).

I would like to say that our party also intends to support Bill 86. As was said before, I think we are all for anything that improves the safety of trucking in this province.

However, there are a few areas I would like the minister to clarify. I know, after talking to him and some of the staff, that perhaps this will fall into the regulations, but I would like to have it on the record so we would know the intent is there, that there are going to be some changes in the regulations to cover some of the areas I will mention.

The federal government, as we know at the present time, has a regulation of 10 hours of work or 15 hours of total duty, and then the person must rest. There are certain times of the year and certain commodities the trucker will be trucking across the country, such as cattle from western Canada, when at the end of those 10 or 15 hours, whatever the case may be, there will not be proper facilities to attend to those cattle, to water them, feed them and so on, but 100 miles down the road or so there probably would be.

It is one thing for the trucker to have his time to sleep, but those cattle are a commodity that are perishable if they are not looked after in the right manner. There are a lot of other seasonal goods for which a trucker may have to be given a certificate of exemption in those cases. I understand the ministry is looking favourably at a certificate exempting certain drivers, providing their records are good, to accommodate that.

I had a trucker, a driver in my area, approach me. He owns about eight trucks. He said, "Doug, can you sleep in the daytime and drive all night?" I said, "I'm afraid I am not a very good night driver." He said, "The way this is at the present time, it would probably mean that the first day I would be driving in the daytime, and if I followed the federal regulations, I would be sleeping most of the day tomorrow and driving all night. I am a much safer driver if I get up at five o'clock in the morning, in the daylight, drive maybe 15 hours and then get a decent night's sleep when everybody else is accustomed to sleeping; that is, at night." They gave another example of the time limits, if we held to them.

I think a little common sense has to come into this, just so whoever enforces this in the future knows that there was an intent—I think there always is with legislation—that a person should use a little common sense. If they came to Mississauga and their time for driving was up and their home base was, say, Scarborough, an hour's drive away, should they stay overnight in Mississauga? I know some of the members would like that, probably to get the added revenue from them, but it does not make a lot of sense to me, as a businessman, for them to stay over in Mississauga, when an hour more will get them to their home base, if it happens to be Scarborough.

I would like the minister to mention what his intentions are as far as regulations to protect people like that are concerned. I see the Minister of Agriculture and Food (Mr. Riddell) in here. I am sure he would agree that cattle or other commodities have to be moved because they are perishable, and maybe the people cannot stop at the end of a particular 10-hour shift. Before I leave that part, what they asked me on that was whether the 10 hours of driving and 5 for loading or checking out the rig could be a total of 15 hours, as long as that was done in daylight hours.

They did say something. Anyone driving on Highway 401 or any of the other major arteries at night, as I often do driving back to my home in Lanark, knows that it would reduce the number of trucks on there at night. Last week going home, there must have been a convoy of about 15 in a row driving down both sides of the road, both the lanes. You could not get by. You were locked into a position of trying to pass, and it took many miles to do it. Some of those might be off the road if the drivers were able to sleep the night hours.

While I am on my feet, I would like the minister to give me a rundown on what happens with the commercial vehicle operator's registration and how that applies to a rented or a leased vehicle. I read that over and it was not quite clear to me. I would like to get clarification on how the minister sees that working. That is on page 2, midway down, I believe.

1550

On page 5, clause 15g(b), where the Lieutenant Governor in Council may make regulations that would put a charge on the reissue to someone who had lost his licence. I would like to know whether the minister has any idea of what that charge might be. Is it just a minimum charge or is he going to impose a penalty in regard to the charge?

I guess the minister is not going to proclaim Bill 86 prior to Bill 87 and Bill 88, so that perhaps going into committee and making the necessary changes, where it mentions Bill 87 and Bill 88, will not have to be done at this time.

When the minister gets a chance to respond, I hope he will comment on a few of the things I have brought forward.

Mr. Lupusella: I am pleased to join in the debate on the Truck Transportation Act. As the parliamentary assistant to the Minister of Transportation (Mr. Fulton), I have had the pleasant duty of participating in many meetings and consultations leading to the reintroduction of this bill.

As many members will know, the Truck Transportation Act has been before this Legislature in one form or another for some 12 years. The history of trucking regulation goes back some time. Indeed, the rules governing the trucking industry have been with us for more than 60 years. That is when the Public Commercial Vehicles Act was first written.

In 1927, the prevailing wish was to protect the rail industry from competition from the new mode of transportation, the truck. Trucks threatened to cut into the market share of the railroad. Much has changed. For one thing, trucks have grown to be the dominant method of transporting goods in Canada. Trucks carry almost 60 per cent of what Canada exports, about \$30 billion worth.

According to the Ontario Trucking Association, the trucking industry directly employs almost 75,000 people. Indirectly, the number may be much higher. The Truck Transportation Act aims to improve that for manufacturers, for shippers and, most important, for Canadian workers and consumers. The Truck Transportation Act will make trucking an attractive and more convenient method of transportation. The TTA will lower the cost of moving goods in Ontario and widen the choices available to people who want to ship their goods.

Just as important, it will provide an opportunity for those who want to get into the trucking industry. Right now, if one wants to enter the trucking business, one must clear a number of regulatory hurdles. One must be prepared to fight sometimes lengthy and costly legal fights. For instance, I heard of one case where a company had to pay \$5 million in legal fees just to establish the right to carry on a business.

That is the old system. What the Truck Transportation Act attempts to do is to clear away the obstacles to doing business in Ontario. It says that if you want to enter the trucking business in this province, you must show only that you are fit to do the job, that you have safe equipment and a safe record and that you are insured.

I want to stress the safety aspect of Bill 88 because there have been a number of stories written about truck safety. While it is a vitally important issue, it seems that safety stories make for quick and easy news. Stories about truck horrors almost write themselves. As such, we have been reading a lot of these stories in recent days.

Let this fact, however, not diminish our obligation to ensure a safer environment for all users of the roads and highways of Ontario.

Mr. D. S. Cooke: Mr. Speaker, he is speaking on the wrong bill.

Mr. Lupusella: I am talking about the three bills in general, with particular reference to this particular bill.

The Deputy Speaker: Order, please. Please ignore the comments.

Mr. Lupusella: It is we who have the duty to enact the laws which will create such an environment. For that reason, Bill 88 accompanies Bill 86, An Act to amend the Highway Traffic Act. Let there be no doubt; it is impossible to reform the economic regulation of trucking without strengthening safety regulations at the same time, so we have attended to the safety aspects of trucking. In that regard, we have learned lessons from the United States, where they changed their regulatory environment without regard to the impact of these reforms on safety.

I want to address another issue before ending. In recent days, employers have been terrorizing their employees, threatening them with the loss of their jobs if Bill 88 is passed. Nothing could be more false. I find it terribly offensive in the 1980s that employers would resort to this form of blackmail. They have asked their employees to sign their names to form letters, which would in turn be mailed to the Minister of Transportation at the expense of the trucking company.

It is one thing for an employer to mislead his employees, as is clearly the case here. It is nothing short of terrorism for this to happen. It is quite another thing, however, for employers to conceal from their employees this one essential fact: Under the Truck Transportation Act, an employee or group of employees could, if they wished, enter the trucking industry themselves. They could buy their own vehicle and set up their own small business provided they met the conditions on safety and insurance. This is especially important to northern Ontario, where there are unique challenges posed by distances and population distribution.

I think it should be clearly on the record that an employee, far from being threatened by this legislation, has a range of opportunities open to him or her. That surely must be the aim of this Legislature. Through legislation such as the Truck Transportation Act, we are creating opportunity and chances for all Ontarians.

Hon. Mr. Fulton: I appreciate the general support from the member for Sault Ste. Marie and the member for Lanark-Renfrew, and I certainly appreciate my colleague's substantial contribution to the debate.

There were minor references made to whether amendments to Bill 86 were necessary. I can tell my friend that I am advised by the thoughtful people who are paid to advise us on these matters that they are not necessary, as it is our intention to proclaim all three bills at the same time and to avoid all of the detailed legislative changes.

Mr. Pouliot: Are you going to hold it up?

Hon. Mr. Fulton: No, we are not going to hold it up. With hours of operation, which was one significant issue of concern to the member for Lanark-Renfrew, the details of the limits of hours can be dealt with further within the regulations. I will take it upon myself to offer to the member that we will do that. We have talked to the Minister of Agriculture and Food on more than one occasion and, in fact, I understand the problems of hauling livestock and other commodities but particularly farm products and livestock. We will take it upon ourselves to go into that for the member.

1600

Certainly, we would proceed with this legislation as with any other legislation, with common sense being the bottom line. I think we have assured the member throughout the debate this time, and previously on similar matters, that this is the manner in which we have approached it.

The leased vehicles that the member was questioning will be dealt with as if the lessee in fact owns the vehicle. I think that will solve the concern the member legitimately raised with that matter. Beyond that, I have nothing further.

I again want to reiterate my thanks to the critics and the House leaders of the other two parties for recognizing the need to bring forward this very important legislation and demonstrate that we share a common concern in resolving truck safety and truck driver safety on our provincial highways and roads.

Mr. Wiseman: Mr. Speaker, I wonder if I can just ask the minister if he would comment on my inquiry on page 5 where—

The Deputy Speaker: Order, please. There are usually no comments and questions after the minister's final statement.

Mr. Wiseman: OK. I thought he might have forgotten it.

Motion agreed to.

Bill ordered for third reading.

ONTARIO HIGHWAY TRANSPORT BOARD AMENDMENT ACT

Hon. Mr. Fulton moved second reading of Bill 87, An Act to amend the Ontario Highway Transport Board Act.

Hon. Mr. Fulton: This legislation complements the other two bills in our package of trucking reforms because it gives the Ontario Highway Transport Board the power to hold hearings to review the performance of truck operators. One of the other functions of the reformed OHTB will be hear challenges to the public-interest test that forms part of Bill 88, the Truck Transportation Act. This does not apply under Bill 87. As such, it plays a major role in our complete package of reforms to the commercial trucking industry.

Mr. Morin-Strom: I am pleased to speak very briefly to Bill 87, An Act to amend the Ontario Highway Transport Board Act. This bill is complementary to Bill 88, An Act to regulate Truck Transportation, the government's major deregulation bill, a bill which is a severe threat to an Ontario industry, which proposes to turn over that industry to the major American truckers and which threatens thousands of jobs across this province.

All of us have heard the serious expressions of concern from the trucking industry, from the member firms of the Ontario Trucking Association and from communities across this province, particularly in some of the more rural areas and in northern Ontario.

We, as a party, cannot support this initiative. I will go into considerable detail in the debate on the main bill, Bill 88. This bill, which supports the implementation of changes to the Ontario Highway Transport Board, in order to facilitate the operation of a deregulated trucking environment, should not proceed. We have to oppose this, as we will at greater length in expressing our opposition to Bill 88. I will await the debate on Bill 88 to get into the substantive argument on the whole issue of trucking deregulation.

Mr. Wiseman: Mr. Speaker, maybe I should mention this on Bill 88, but if I am out of order, perhaps you would direct me to Bill 88 instead of Bill 87.

There is a problem here, as I see it. A lot of the truckers, some of the smaller ones, have purchased public commercial vehicle licences and paid a lot of money for them. It runs something like buying a market share for a milk quota; the banks will lend you money on that. A lot of the truckers have gone to the bank and, I understand, borrowed money to make the purchase.

I understand that in the United States, when they went to their deregulating bills, they saw fit to look at the carriers' books and give them 20 per cent reductions over a five-year period so it was

not a hardship for them. I understand too, from some information that was given to me, that our Minister of Transportation favours that sort of move. I would like him, if he would, to comment on whether, under this bill, he intends to pay those people who will suffer hardship when this legislation goes through.

I will have a lot more to say on the larger bill, Bill 88, with some of my concerns and the concerns of our party. I will be bringing in some amendments when it goes to third reading, but perhaps the minister would comment. If I should be mentioning this on Bill 88, so be it.

Hon. Mr. Fulton: The member for Sault Ste. Marie was absolutely correct. His comments are more pertinent to Bill 88, which we will be discussing soon.

With respect to the comments made by the member for Lanark-Renfrew, as he is aware, it has been 18 to 24 or so months since the question of the values of the operating authorities was last mentioned, but I did tell him then, and I reiterate for the House today, that we did write on behalf of the truckers to our Treasurer (Mr. R. F. Nixon) and to the federal Minister of Finance, but the issue of in some way writing down or devaluing for tax benefits has not been resolved at either our level or by the response from the federal Minister of Finance.

Motion agreed to.

Bill ordered for standing committee on resources development.

TRUCK TRANSPORTATION ACT

Hon. Mr. Fulton moved second reading of Bill 88, An Act to regulate Truck Transportation.

Hon. Mr. Fulton: To complete the package of trucking reforms I have been presenting today, I would like to introduce for second reading Bill 88, the Truck Transportation Act. This act will replace the existing Public Commercial Vehicles Act and provide for easier access to the industry by qualified applicants.

1610

Entry will no longer be contingent upon a test of public necessity and convenience, but will be based instead on the fitness of the applicant. Proof of insurance and an acceptable safety record will be among the criteria.

The result will be an industry which is more in tune with the demands of today's marketplace, an industry which will contribute to Ontario's economic competitiveness. Regulatory reform will stimulate increased innovation, flexibility and creativity in the trucking industry. Lower

transportation costs, a wider range of service options for shippers and the potential for more local involvement in the trucking industry in all of Ontario and, in particular, in northern Ontario, where there are special needs, will be among the spinoff benefits of the new regulatory environment.

As anyone who has driven on our highways can attest, trucking is becoming an increasingly important mode of transportation for this province's business and industrial sector. In 1987 alone, commercial vehicle registration grew by more than five per cent and is certainly projected to increase at a similar rate in the future.

With trucks playing such a vital role in our economy, the government of Ontario has a duty to make sure the regulations under which they operate are responsive to the needs of shippers, operators and the consumer.

The three bills I have presented today represent considerable discussion among all parties with an interest in trucking and trucking reform. Since I became Minister of Transportation in 1985, I have had the opportunity to meet with all major groups affected by this legislation, including the users of trucking services and the trucking industry itself. Both have played important roles in shaping the direction of trucking reform initiatives.

It should also be noted that Ontario is not acting in isolation in its efforts to reform trucking regulations. The federal government, along with many of the other provinces and territories, is also working towards establishing a new regulatory climate for commercial trucking. Changes to the extraprovincial legislation were implemented by the federal government on January 1, 1988, thereby creating a situation where Ontario must administer two different systems.

It is vital, therefore, that these legislative proposals proceed, both on their own merits and as part of a broader effort to achieve uniformity across Canada. The sooner these reforms are in place, the sooner both shippers and entrepreneurs in the trucking industry will reap the benefits of a more flexible regulatory environment.

Mr. Morin-Strom: I am pleased to have the opportunity to represent our party as Transportation critic and address this most important piece of legislation, ironically entitled *An Act to regulate Truck Transportation*; ironic because this in fact does not regulate truck transportation, it deregulates truck transportation, opening up the industry to severe penetration, particularly from the large American carriers, totally without restriction and totally without any assurances that

Canadian or Ontario firms would have equal access back into the American markets.

The Premier (Mr. Peterson) is one who states that he is opposed to the Mulroney free trade deal but, at the same time, in this bill, the Premier and the Minister of Transportation (Mr. Fulton) are now opening up an industry worth well over \$3 billion a year, the Ontario trucking industry, to potential American invasion.

The Mulroney-Reagan trade deal does not apply to transportation services, but this Bill 88, *An Act to regulate Truck Transportation*, sets out to deregulate the Ontario trucking industry and create a totally open market, particularly for those large, American-based carriers.

The bill's key proposal is to replace the present entry test into the Ontario trucking business from an examination of the need for additional services to an examination of the fitness of the applicant. I do not think anyone can question the fitness of the big, American-based carriers. That makes their licensing an automatic procedure.

This change will allow those huge American trucking firms to get licences with no restrictions here in Ontario. In such a cut-throat market, all but the largest of Canadian companies will be squeezed out. Surely, this is a case where the Premier and the Minister of Transportation should be asserting provincial jurisdiction instead of handing a key sector of our economy to the Americans.

New Democrats oppose this trucking deregulation because it will mean higher rates and less service, as well as American domination of the Ontario trucking industry. As one of northern Ontario's largest trucking firms puts it in a letter written in May, 1988: "Manitoulin Transport is not in favour of Bill 88, as we think it spells higher rates and poorer service to the majority of shippers and receivers in northern Ontario...It is our opinion that more competition will do two things: affect rates and services. Rates will increase to small towns and villages, and service will decrease."

Of great concern to all motorists, deregulation will result in less highway safety. The 900-member Ontario Trucking Association points out in its position paper on new trucking reform legislation from earlier this year: "There is a direct relationship between economic regulation and highway safety. Faced with increased competitive pressures and declining profitability, some carriers will be forced to give less-than-adequate consideration to those factors which ensure public safety." This paper goes on, using experience from Quebec, Australia and Califor-

nia, to make a very strong case for the need to regulate safety practices.

Deregulation will in fact drive many companies out of business. The experience of deregulation in the United States brought about by the 1980 Motor Carrier Act is instructive. Large companies took advantage of the increased competition to expand, as did specialized carriers. Medium-sized companies got squeezed out or taken over. The industry did not prosper. Over 350 companies have gone out of business. In 1982, only 20 per cent of the members of the American Trucking Association made a profit, and in the same year, there was a record number of bankruptcies.

Without regulation, the laws of the market are seen for what they are—laws of the jungle. Only the strongest survive. That a company may be providing a necessary service is no longer a consideration. Deregulation will reduce jobs, wages and working conditions. Again looking at the US example, there have been over 100,000 jobs lost since deregulation. Hundreds of thousands of other truckers have seen their wages, benefits and working conditions rolled back. Unions have been hard hit not only by the demands for concessions but also by increased activity of nonunion companies. Deregulation is really a union-busting scenario.

While this government proclaims its opposition to the free trade agreement because of the threat to jobs in this province, it is proceeding unilaterally with free trade on trucking, opening up this market and the jobs that we have here now to American carriers and American workers.

It is a fact that deregulation will hurt small and isolated communities. In a market situation, companies will compete over the lucrative markets and transportation runs connecting the large population centres. Isolated communities will get much less service. For instance, under the present criteria for getting a trucking licence of establishing "public necessity and convenience," transport companies are often asked to operate in less-populated areas. This provides services to rural areas in northern Ontario by trucking companies that want to be licensed to operate on the more heavily travelled routes. This is the kind of service we have to ensure continues, and there is no guarantee under this legislation that such would be the case. Deregulation, in fact, will end this practice and leave all small and isolated communities totally vulnerable.

We also must consider the fact that deregulation will not result in lower prices. Experience in

different fields shows that deregulation usually results in lower prices on the major runs in the short term as the companies compete for markets. However, it does not take long for the process of monopolization to occur. Companies get taken over, merge or are driven out of business. As a handful of powerful companies emerge to dominate, the prices always rise.

1620

While Bill 88 opens up the Ontario trucking market to Americans, Ontario truckers will not have the same access to the United States. Forty-three states, including the huge markets of California and all the northeastern states except the state of New Jersey, maintain systems of regulatory control over trucking within their borders that make it extremely difficult for Ontario truckers to obtain operating licences. This applies to every state bordering Ontario.

The Ontario Trucking Association, which has in the past agreed with our opposition to deregulation, has proposed a reciprocity clause to Bill 88 that would give licences only to American trucking firms from states that do give reciprocal access to our Canadian or Ontario companies.

The ministry, in the past or in recent communications, has said such a provision would be unconstitutional. However, the trucking association has gone to lawyers expert in the field and has a legal opinion that says that such a clause, in fact, would be constitutional.

When it comes to defending Ontario and working people, this government is not taking the interests of Ontario to heart and, in fact, is proposing and implementing free trade in this very important industry with the deregulation of Ontario trucking.

I would like to bring to the attention of the members of the House some of the comments that have been made by trucking firms in their constituencies.

I have a statement from the vice-president of Glengarry Transport Ltd. in Alexandria, Ontario: "Bill 88 contains a section which will hand over the Ontario truck market to US carriers, while Ontario carriers remain effectively closed out of US intrastate markets. This must be changed or it will be the death knell for a large number of Ontario carriers and the jobs that go with them."

Perhaps the Liberal member for Peterborough (Mr. Adams) should listen to a statement from the president of Meyers Transport Ltd. in that city: "Over the past 60 years, my family has invested heavily in operating authorities in much

the same way farmers would buy milk quotas. These authorities represented our pensions. It is what we worked for. Bill 88 will make these authorities worthless."

The member for Guelph (Mr. Ferraro) might want to take a look at what the president of MacKinnon Transport Co., located in that city, has to say about this bill: "If we are going to compete with the United States, we should play by the same rules."

Perhaps the member for Norfolk (Mr. Miller) should take a look at what the executive vice-president of Cronkwright Transport Ltd. in Simcoe, Ontario, has to say: "Give us equal opportunity with the Americans and we will compete. Neither the free trade deal nor Bill 88 accomplishes this."

The president of Cooke Cartage and Storage Ltd. in Barrie, Ontario, says: "With all the people they've got at Queen's Park, I can't believe they can't find a way to deal with the foreign carrier question. They do it in other industries."

The president of Canada Transport Ltd. in Belleville, Ontario—a city represented by a Liberal minister of the crown, the Minister of Tourism and Recreation (Mr. O'Neil)—says: "What with the Canadian tax structure, federal deregulation and now Bill 88, Ontario trucking companies will be giving serious consideration to setting up shop in the US." This may well be the alternative. We may have to see our Ontario companies establishing in the US in order to be competitive under this legislation.

We have the president of D and M Transport Ltd., Downsview, Ontario, saying, "It is incredible, but under Bill 88, a licence for truck operating rights can never be denied, even if it is found that the granting of that licence would be adverse to the public interest."

Here is a comment from the vice-president of Al's Cartage in Kitchener, Ontario, another riding represented by a Liberal member. These members should be listening to what their own constituents and their own companies are saying. Howard Frolich, vice-president of Al's Cartage says: "The government wants to change the rules of the trucking game. That's fine, as long as the rules are fair. My family has spent 52 years building this business. I am concerned that Bill 88 is not fair."

I will go on with another. We have all kinds of examples here of trucking firms which are very upset with this legislation and the implications it has for their operations. The president of Van De Hogen Cartage Ltd., a firm located in Windsor,

Ontario, says: "Apparently, the Ontario government says that amending Bill 88 to incorporate a reciprocity clause that would treat US carriers in Ontario the same way we are treated in the United States is unconstitutional. I thought the Constitution was supposed to protect Canadians."

Finally, I have a comment from the president of a trucking company from northern Ontario, McKevitt Trucking Ltd. in Thunder Bay, a community which has two Liberal members, one of whom is the Minister of Colleges and Universities (Mrs. McLeod): "The big shipper might benefit somewhat from deregulation, but the small shipper and the small carrier, especially in rural and remote regions of the province, will be hurt by this legislation."

I have a letter written to me by a trucking firm in my home town, Soo Van and Storage. The letter is from its president, Fred Goodine, and he says: "With this scenario, if we have to compete with the major United States carriers on top of this, there will be a lot of carriers such as ourselves that will not survive. We will have to cut our operations back here in the north, and it is going to cause a lot of unemployment."

"We will have a very difficult time competing with the American carriers when they can come into Ontario and do business against us, considering the fact that they can buy their trucks cheaper, their fuel cheaper and their labour to load cheaper. This will give them the advantage, and it will be impossible for carriers such as ourselves to compete on an equal basis."

This is a particularly serious issue right across northern Ontario, and I would like to read from letters I have received from several other carriers in other regions of the north.

This is from Denis Gratton Transport Ltd. in Chelmsford, Ontario, adjacent to Sudbury: "I am sending this letter in order to voice my opposition to Bill 88. We are a PCV carrier which hauls within the province of Ontario, and I am concerned about the way that Mr. Fulton is trying to railroad Bill 88 through the provincial Legislature. How can a government be so against a Canada-USA free trade agreement, yet be ready to free-trade our complete trucking industry to the USA markets?"

"Ontario has always been well-regulated in the past, allowing us to operate together on an equal market with Canadian trucking. Now we are told that our PCV act is outdated and we must change. Not only are they planning to open it to everyone in Ontario, but also to the US truckers seeking Ontario interprovincial trucking operating rights,

while Ontario carriers will continue to be closed to the US interstate trucking markets.

"What about small towns in rural regions of the province? Mr. Fulton says that deregulation will benefit small towns and rural regions of the north, yet the US example shows that small towns and rural communities can expect to pay higher prices for poorer service under deregulation.

"The next point of Bill 88 is to push for safety on our highways. Safety and deregulation are definitely not linked together. Again, the US experience provides a shocking example of deterioration of highway safety following deregulation.

"Bill 88, I maintain, is a disaster for Ontario. Bill 88 is going to create a situation of one-sided free trade in trucking, favouring the Americans. Ontario will be handing over its operation rights without receiving anything in return. I cannot see how anyone in the north or the south of Ontario could begin to think that it is a benefit to anyone."

I have a major submission from Manitoulin Transport, a firm whose head office is in Gore Bay, Ontario, which has gone into this issue in considerable detail. I know the minister is aware of their concerns and the threat that this legislation provides to their operation and other operations like theirs.

1630

Just to quote briefly, they start off: "Deregulation: even the term is confusing. Trucking regulation or deregulation are really only referring to what is involved in getting a truck licence to transport goods for compensation.

"'Regulation' refers to the test of public necessity and convenience wherein, in Ontario, the applicant must prove a need for the new service and, in support, bring shippers and receivers before the Ontario Highway Transport Board to answer questions concerning existing service.

"'Deregulation,' on the other hand, as in Bill 88, means virtually anyone can get a licence to transport for compensation. In fact, there is not even a provision in the proposed act to deny an applicant, even if the granting of that applicant's licence is shown to be adverse to the public interest."

Manitoulin Transport goes on to express that it is opposed to this bill and the threat it provides to its operation. They go on to say: "We are scared. If our company has its back to the wall, we will have no alternative but to sell. We provide employment for over 375 people in northern

Ontario, more than half of which will be jobs lost for northern Ontario residents."

Certainly, when one looks at the issue of jobs here, one can just look at a report such as the one put out by the Royal Bank of Canada on the impact of deregulation on Canada's trucking industry. Just reading from the highlights of the report, its conclusions include the following:

First, "Cross-border trucking competition is expected to intensify, requiring business repositioning by Canadian cross-border trucking companies." Second, "Deregulation is also expected to put a lid on wage increases in the industry and foster the use of owner-operators," a practice which in fact will eliminate many, many union jobs in the province.

I have a letter here from the Canadian Brotherhood of Railway, Transport and General Workers, which says: "The existing trucking industry is highly competitive, and to allow large American carriers into the marketplace with huge financial bases will virtually wipe out many small and medium-sized Ontario-based carriers, resulting in a serious loss of jobs in the industry.

"Further, after the shake-out has occurred, prices will surely increase, as there will be less carriers in the business and hence less competition. The government has stated publicly that it would not support the free trade deal if it would result in a loss of jobs in Ontario. Surely the government should now take the same stand on deregulation legislation as on the free trade deal, because it has such serious effects from this legislation."

Surely this government has to recognize the potential job losses and the potential restriction in wage levels in this province and the fact that much of our business is very likely to go to the major American carriers. In fact, the touted reason for this legislation, the hope that there will be greater competition in the Ontario marketplace, is likely to result in the reverse, with a consolidation of firms into a few giant transport companies, exactly the consequences that we have seen from federal deregulation in the airline industry.

I think those of us who come from smaller communities, like those in northern Ontario, know that the result of that has been reduced service, not as good service as we had previously from the carriers that were serving those communities.

We also have concerns being expressed by suppliers to the truck transportation industry. One of the big concerns is that most of the trucks that are going to be carrying the business here in

Ontario in the future not only will be American trucking companies but also will be using trucks that are purchased in the United States.

In fact, it has been suggested that Ontario truckers who want to stay in competition are going to have to set up bases in the US so that they can purchase their trucks at a lower cost and, potentially, get better tax breaks in terms of depreciation by purchasing those vehicles in the US, again taking business away from Canadian suppliers.

I have a letter here from a major supplier of heavy trucks, Sherway Ford Truck Sales, here in Toronto. The executive vice-president, A. D. Patterson, states as follows:

"As a supplier of truck chassis and equipment to the transport industry, we are vitally concerned as to the content of Bill 88 in its proposed form. Our business employs 146 people. We wish to go on record that the passage of Bill 88 will, over a period of time, lessen the opportunity we have in doing business within our Ontario transport industry.

"Surely, if American states do not reciprocate, the bill should be amended, restricting those states that will not honour our entry. To do otherwise is tantamount to blackmail. The hue and cry made by David Peterson and the Liberal government over the proposed free trade act is indicative of skewed thinking when relating to Bill 88. How can you support Bill 88 and decry the free trade act?"

We have had resolutions passed by a number of communities in the province, in particular some in northern Ontario, from city councils expressing opposition to this bill. But still we have a government that refuses to listen and make the kinds of major changes this bill requires in order to ensure that this industry remains an Ontario industry.

This bill has been addressed by committees of this Legislature in the past. I, as a member of the select committee on economic affairs, have had the opportunity of hearing from the trucking association submissions regarding free trade. They have expressed their serious concerns about the implications of free trade for the trucking industry in Ontario.

From a presentation to Ontario's select committee on economic affairs, the Ontario Trucking Association summarizes its implications of free trade for the trucking industry as follows:

"1. Canadian carriers have limited potential to expand into US markets, whereas US carriers are well placed to achieve a high level of penetration of Canadian and Ontario trucking markets."

In other words, we are going to be the losers even in a fair battle, which the government is not even proposing here. In fact, this battle is less than fair and we will be very serious losers in this industry.

"2. An agreement already exists between Canada and the United States to prevent, in principle, a major shift in trucking services between the two countries. It recognizes Canada's vulnerability, but its practical application is uncertain."

In fact, there was an agreement reached between the two governments several years ago, which is an auto-pact-type agreement, which ensured that Canadian content would be maintained in the industry, but it will be thrown out with this bill.

"3. The Ontario highway transportation board has concluded that if a shift in trucking services occurs, it will work strongly to the detriment of Ontario-based trucking industry.

"4. Free trade in trucking services would have potentially large negative economic and fiscal impacts. Job losses in Ontario alone could be in the thousands, losses in local purchases of goods and services in the hundreds of millions of dollars, and reductions in taxation revenues of substantial proportions."

These in fact are the same consequences as deregulation brought within the United States.

One particularly interesting submission came from John Sanderson, vice-president, public affairs, CP Express and Transportation Ltd. I will just read briefly some of the evidence he provided before our committee of the Legislature on the potential impact of deregulation in the province.

He said: "We developed a position of concern about the future, about our own company, about the trucking industry and about the industry that is our customer base, particularly the customers located in Ontario. We do deal from coast to coast and we have operations in all 10 provinces. The observations I make are based on many years of experience in dealing with international trade as seen through the eyes of the motor carrier."

1640

He goes on to say: "We see that the most likely trend under free trade would be to use that infrastructure to deliver goods to Canada and to effect the closure of branch plants and transfer both manufacturing and jobs to the United States.

"To expand the US-based distribution system to serve the Canadian market would require only an expansion of the existing US-to-Canada transport channels, using large carriers to funnel

shipments into major distribution points in Canada. Given open entry to Canada by and for US motor carriers and given the US policy to export US-based services and goods to Canada, it seems that US-based carriers would deliver these shipments directly to Canada."

He goes on to say, "...it will more likely mean a reduction in manufacturing activity in Canada and particularly in Ontario."

Finally, "Currently, the federal and provincial governments are examining deregulation across both provincial and international boundaries and, should free trade and trucking be implemented without any controls, it seems very likely to us that US-based carriers will move to carry the majority of US-Canada trade at the expense of Canadian-based carriers."

It would appear that "Keep on trucking" is the message of the Ontario Premier (Mr. Peterson) to Canadian-owned highway transport operators in our country's richest and fastest-growing province. All the Premier is saying is, "If you can survive the US competition I am about to let into Ontario, no holds barred, then really we do not care about the consequences in terms of Ontario jobs or Ontario industry and the services that will be provided to shippers and consumers in Ontario." If the Canadian trucking industry is consumed in the process, so be it as far as the Premier is concerned.

I suggest this bill is so seriously flawed that in fact it will not be able to be improved or made adequate through amendment and that the government should go back to the drawing-board, go back and hold extensive consultations with the industry, look at what the consequences have been from deregulation in the United States and other administrations and come back with a totally rewritten and revised bill.

Our party will be opposing this piece of legislation and will be acting in committee to ensure that the interested parties in this province are given adequate public representation and that their interests can be heard at that time.

Mr. Wiseman: I would like to make some comments on Bill 88 and some of the positions our party would like to see taken.

First of all, I would like to say that much of the bill was brought forward by my colleague the member for Simcoe West (Mr. McCague) when he was Minister of Transportation and Communications and Jim Snow, when he was Minister of Transportation and Communications. They had been working on it for some time.

As a businessman, looking at some of what I feel are flaws in the way we are going, first of all,

I would like to say that when it goes to third reading, I will be bringing forth a reciprocity amendment. I know the minister has had two or three legal opinions, but the truckers have had a legal opinion by someone from Gowling and Henderson, a law firm which is well known to this government.

They have hired him to look after a ticklish situation in the Hamilton area, and I think he is well known to the Attorney General (Mr. Scott), being one of his partners in that law firm. I think his writings and findings on whether it was constitutionally sound to come in with a reciprocity resolution or amendment are good. I hope to have that ready to present when we go into third reading.

As a businessman, I look at some of the things that are where a trucker in Ontario is coming from and what he is trying to compete with. I know the Ontario Trucking Association is not afraid of competition. In my businesses I am not afraid of competition, but I like to know that I am starting from the same level as the competitors are, the same playing field. Some things that have come across my desk in the last little while show in the comparisons that they are not.

Some of these one might tend to say are frivolous or have no backing, but when a firm like Price Waterhouse comes out with a statement as to where our truckers in Ontario stand versus the ones in the United States, I think we should all stand back and have a look at just where they are coming from, whether they are playing from a level field or what disadvantage they are have.

When we look at the Price Waterhouse report, we can see the examples they have given; for instance, in the case of Ontario tax against truckers, it is at the rate of 15.5 per cent. Then we look at some of the states where we do a lot of business and we see Michigan at 2.35 per cent. New Jersey, by the way, is at 9.2 per cent, keeping in mind we are at 15.5 per cent. Then if we take off the federal assistance that is given in the United States, it reduces New Jersey to just under six per cent, 5.94 per cent.

There is quite a difference right there and quite a disadvantage to our truckers. That goes right down: Pennsylvania 9.5 per cent; New Jersey, as I mentioned, 9 per cent; Ohio 9.2 per cent; Illinois and Michigan 2.35 per cent, keeping in mind that, with the federal assistance, these states only pay about 66 per cent of that tax.

When we look at our sister province, that we are competing with, perhaps more than any other province, Quebec is at 5.9 per cent, just about 10

per cent advantage over our Ontario truckers. Then we come down a little further and look at what some of the owners of transports in my area, and others, have been saying that they can write off in the United States.

They can purchase a tractor and write off the largest amount of it in three years. For instance, the first year they can write off a third; the second year they can get it up to 78 per cent, and the third year 93 per cent of the cost of that tractor. The fourth year, of course, there is just a seven per cent write-off.

In Ontario we have a 13-year write-off. One who, like myself, pays a lot of income tax knows that if you can write that off in four years rather than 13, there is quite a saving there for the companies as well. Then you buy more.

1650

Hon. Mr. Sweeney: If you don't pay any tax, how are we supposed to pay for all these programs you want?

Mr. Wiseman: You do not want to do it on the backs of the truckers, John.

The Deputy Speaker: The member for Lanark-Renfrew (Mr. Wiseman) will address his remarks through the chair, of course.

Mr. Wiseman: Thank you, Mr. Speaker.

Then we look at trailers in the United States. They can write off the big, long trailers we see out there in six years. They have 20 per cent in the first year; 52 per cent write off by the end of the second; 71.2 per cent at the end of the third; at the end of the fourth year, 82.7 per cent; 94.2 per cent at the end of five; and, of course, there is only 5.8 per cent left in the sixth year. But come over to Ontario again and we see that we have 13 years in which we must write it off, the same as we could for the tractor. The same disadvantages to the businessman, the owner of the transport, apply.

If we look at fuel, fuel is 76 cents a gallon more in Ontario than it is south of the border. If we look at the cost of the trucks, they tell me that the cost of the truck is 12 per cent less in the United States than it is in Ontario, another real disadvantage to anyone trying to do business in Ontario, especially in the trucking industry.

The sales tax was bad enough at seven per cent, and now it is up to eight per cent. During the early part of the 1980s, our Treasurer of the day, to help this industry, reduced the sales tax on heavy trucks. Now we see it up to eight per cent. At the same time the minister is bringing this in, his colleague the Treasurer (Mr. R. F. Nixon) is

adding a little more burden on the owners of transports and the hiring of people.

The other part I mentioned on Bill 87 is that in the United States, when they deregulated, a person who had purchased a public commercial vehicle licence, similar, as I mentioned before—and the Minister of Agriculture and Food (Mr. Riddell) is here—to when you purchase a milk quota, the banks will lend you money on that. They lent money to some of these truckers to purchase PCV licences or to enlarge their territories.

That is still on the books in a lot of cases. It is not written off. I know the minister said they have known this was coming and probably were writing it off, but it takes time to write it off. In the case of the trailers and the trucks, it takes 13 years, so you cannot move that fast to write off a debt like that. If the banks were to call those loans because maybe now they do not have the collateral to back them up, those licences are no longer worth what they were when they had the protection of the PCV Act. That is another real disadvantage.

I have here as well a copy of a letter that was sent to my colleague the member for Simcoe West. It was sent originally to the minister. The member and the former minister got a letter from Gerald Hall of RR 2 Stayner, Ontario, and I will just read it. He says:

"I have recently learned that you have introduced"—this is to the minister—"a bill which would deregulate interprovincial trucking in Ontario. I am deeply concerned about this, and have been an employee of a trucking company for over 20 years. I am employed by Glengarry Transport Ltd. of Alexandria"—I am sure the Speaker is familiar with that, as I am and the member for Stormont, Dundas and Glengarry (Mr. Villeneuve), who is from the area—

An hon. member: Where is Noble?

Mr. Wiseman: He is busy in committee.

"From what I can see," he goes on, "Bill 88 will do wonders for the people employed in the American trucking industry, but it will do nothing for me and the people I work with. I would like to ask you why, if the Premier is opposed to free trade, are you trying to bring about free trade in the trucking industry? No matter which way you cut it, what you are doing is free trade.

"I can accept free trade so long as it is fair and that everybody is playing from the same rules. I urge you to pay attention to the Ontario Trucking Association and to change your deregulation bill

by including a reciprocity clause or a Canadian-content clause, as suggested by the OTA.

"I look forward to your response to this letter."

I have other letters in my office. I was not going to read them into the record, but my colleague had to go to another meeting and I thought I would do that for him.

As I said before, our party will be bringing forth some amendments when we go into third reading. I want to let the minister know that the reciprocity one is coming, and hopefully we will be able to draft it in a way that will be acceptable.

In summing up, if all the members of the House would keep in mind where we are coming from on this: what a disadvantage it is in some areas to our Ontario truckers, and the tax in the states we deal with in the United States is just about a third of what it is in Ontario.

When you look at the write-offs—four years in one case and six years in the other, versus 13 years—we all know what that means, bottom line, when you are in business. We know that fuel to operate your vehicles is a lot more expensive in this province. We also know that the trucks are cheaper south of the border, by 12 per cent, and we know that there is no state tax on trucks down there.

I am sure that all members, particularly those who have had to put out a profit-and-loss statement once in a while and who have had to look after hiring and keeping staff, not laying them off, will be interested in a couple of examples of what has happened because of this.

I am sure you, Mr. Speaker, and a lot of people from eastern Ontario, including the member for Renfrew North (Mr. Conway), know Taggart Service Ltd. Taggart Service's head office happens to be in the great county of Lanark, in Perth, but it has now purchased three firms in the United States coming out of Syracuse. Many of the reasons for going over there that Mr. Joe Perkins, the owner, has told me about were to purchase and get the concessions that they have over there but we do not have here.

I understand that Canadian Pacific has purchased a firm just below Detroit and is doing the same thing. My fear there is that not only may we lose some jobs in trucking, dispatching and so on, but we could lose a lot of the key personnel if it happens to move its head offices to south of the border. We all know what that would do to jobs, and we are all interested in jobs, whether they be for the truckers or at the executive level at the top.

I know some of these things do not fall within the minister's jurisdiction, but they certainly fall

within the jurisdictions of the Treasurer and the federal Minister of Finance. Things like, if our Treasurer of the day, when we were the government back in the early 1980s, could see fit to take off the sales tax and make some of these other adjustments, I am sure this minister can do the same. Certainly the government over there has the majority to do what it wants if it has the will to do it.

1700

I would like the Minister of Transportation to talk to his federal counterpart, to encourage the federal Minister of Finance, Mr. Wilson, to look at the write-offs. But we should not be casting everything off to the feds. We have some areas here that we can work on.

Truckers are like other businessmen. They do not mind competition but, by golly, they want to know that they are playing from a level field and they are not so disadvantaged that they will go under. I think a lot of the shippers who have been writing to me would be served as well by having a strong and healthy transportation group out there to service us.

We want to see down the road that these people do not go under, because we all know that sometimes people will put out some loss leaders for a while, but once they capture the market, their price will go up and the people in Ontario will certainly pay for that.

M. Pouliot: Cela me fait plaisir, même si je ne suis pas le critique du Nouveau Parti démocratique ni un adjoint parlementaire, de dire quelques mots en ce qui concerne le projet de loi 88. Peut-être me permettez-vous aussi de toucher brièvement aux projets de loi connexes, plus précisément les projets de loi 86 et 87.

There really is nothing in this legislation that will benefit Ontarians. In fact, we have a fairly good transportation system across the province. This is in large part thanks to a system of regulation that has been with us pretty well since Confederation. For sure, it is not by accident that we have a regulation system regarding transportation in Ontario. It was put there mainly to protect the less fortunate—for instance, the people who live in small and remote communities, where the factors regulating the marketplace are not equal.

The basic premise of these bills—and I am referring here to the bills associated with what is in essence deregulation. The minister can choose to play with words and have his assistants Websterize and Oxfordize and try to sell us a bill of goods—is that the proper English expression?—and call it reregulation, but reregulation is not

even a reasonable facsimile of what the wording addresses here. What the minister is talking about here is a change from stem to stern in trucking regulations in Ontario.

Monsieur le Président, avec le respect qui vous est dû, avant de continuer mes commentaires, j'aimerais attirer votre attention sur l'article 24(b) du Règlement, qui demande tout simplement, parce que certains semblent l'avoir oublié, qu'on n'interrompe pas celui qui a été reconnu par le Président de l'Assemblée. Si vous voulez le rappeler à vos camarades, à vos copains...

Le vice-président: Allez-y, continuez avec votre pensée.

Mr. Pouliot: We do realize, being the party that we are, at the avant-garde of changes, that a lot needs to be changed in a fast-moving world to bring the existing bill or to give them more representation to make them more functional.

It is obvious that the Minister of Transportation (Mr. Fulton) has chosen to overreact, but it is really not surprising. After all, we are in the midst of a campaign that tends to recognize that the marketplace always chooses better. Between the Liberals and the Conservatives they have a sort of accord or an entente.

Mr. Sterling: What?

Mr. Pouliot: And I am not going too far. It says that the least public direction is preferable, that if you leave it to the people in the marketplace, inevitably they will make the system better.

It is not so. Let me quote the words of Paul Steven Dempsey, appearing before the public utilities commission of the state of California. It is very recent: February 17, 1988. Professor Dempsey is not just anybody. Dr. Dempsey is a professor of law and director of the transportation law program, University of Denver college of law, University of Georgia, George Washington University, McGill University. I mean, this is instant credibility, which is more than I can say for the Minister of Transportation, with the highest of respect, who has chosen to flip-flop, change the bill, change the numbers, introduce them, go back to his aides, commit a multitude of sins and bring them back; but they are the same. He is making things worse. Why does he do this?

These people, the Ontario Trucking Association, have not made a habit of supporting the philosophy, the social conscience of the New Democratic Party; in fact, quite the contrary. They have from time to time made political contributions to elect members who do not adhere to our philosophy—members of the Liberal Party, members of the Conservative

Party. There are 800 members in the Ontario Trucking Association, and they are telling the minister what Professor Dempsey said before the public utilities commission of the state of California.

Now, we all recall that the state of California, the largest state in the union of the United States, went through the process of deregulation. The executive summary says, and I quote: "Federal deregulation of interstate transportation began in the late 1970s. The empirical results of airline, bus, railroad and motorcar deregulation are strikingly similar."

This is food for thought. What he is saying is, "You want the marketplace to play a larger role; but once you deregulate, because of mergers, because of takeovers, it creates cartels and monopolies." He chooses the word "empirical."

This is what happens. The marketplace does not get better. It begins to suffer. Look what is happening in terms of the airlines. It has deregulated. Air Canada has taken over Austin Airways. We do not have more service in northern Ontario; we have less. The marketplace is down south. The less fortunate are left carrying the guilt. That is what is happening. We do not have more airlines.

1710

Does the minister see any Nordair planes? No, he does not. They are called "Canadian." There are fewer and fewer people. The minister is allowing that and he will allow the same thing for trucking when we cannot compete with the United States.

It has been tried in California and in excess of 100,000 workers in the very important trucking industry lost their jobs, and 350 small carriers, since deregulation—I am talking about the small entrepreneur who wants to benefit. He wants to make a buck, too. It is a normal reaction. He is not very rich, but he has dreams and he wishes to expand, a normal reaction. Let us pull the rug out from under him. He can compete with the big guys. It is not the smaller guys who did it to him. It is the big guys. They took him over. When they did so, this lowered the standard of living of many people. Because of the fear of being taken over, people were compelled to make concessions in their collective agreements.

At the beginning, we did give our acquiescence in principle to Bill 86 which deals with safety. The ministry hardly has enough officers, enough people in the field to monitor compliance when it comes to safety. This bill proposes to make safety better, to make it safer. But in this kind of dog-eat-dog world where people exist

hand to mouth or, should I say, trip-to-trip, one of the first aspects that will be compromised will be safety.

The tires will get a little balder. People will play little games to get around the legislation and they will drive longer hours so they can make ends meet because it is much more competitive. They will overload. Safety will suffer. How will the minister monitor compliance? He will not be able to. Those are the real facts of life. The rig can roll a few more miles until catastrophe and calamity strike.

Over the past three years, the several times I have been on my feet, I did not for one second suggest that the minister has blood on his hands. Although it has been said to me, I never said that. I talked about the conditions in northwestern Ontario, the kind of impasse and dilemma that is faced by the people there, and then I listened the very next day to the proposal from the Minister of Transportation to pave the soft shoulders in southern Ontario, a very agonizing dilemma. We were more concerned up north about the section between the soft shoulders. Time and time again, we have met with refusal.

Professor Dempsey goes on to say under economic efficiency, "Carrier productivity gains predicted to result from deregulation have not materialized."

I have mentioned why it did not materialize. I have offered the rationale for why perfect competition does not exist in the industries. You need not be a mathematical genius who has graduated from the Massachusetts Institute of Technology like the member for Sault Ste. Marie (Mr. Morin-Strom) to understand that. It works well on paper, but in the real world it does not quite work that way. Deals are made.

The minister and his colleagues have been against free trade, and yet they come up with deregulation of the trucking industry. I have some problem in terms of consistency to understand where they are coming from.

The regional expansion issue in northern Ontario has been something we live with on a daily basis. Time and time again, be it under supply or almost any legislation that is put forward in this House, you hear the northern representatives of our party saying, "Look, things don't quite operate the way they do in southern Ontario."

What we fear is that under the proposed deregulation bill, a multitude of sins, mainly sins of omission, will be committed up north. We fear that when the deals are made in the larger centres, we will not have more competition but in fact less

service up north, and it will become the sort of attitude that will charge what the market will bear.

When you remove the elements of competition from the free enterprise system, you end up with cartels and monopolies. It is happening in the airline industry. We were promised the world there too. The government's deregulation does not address that. In fact, we have a reverse-onus situation. One no longer has to satisfy the very basic elements of public necessity; the government has thrown that away.

Instead, it is saying: "If you can roll, if you satisfy us with the insurance, let's roll it. Public necessity no longer exists." It is the world upside down. We have lived well with regulations. We agree that some changes have to be made. But it is not the Treasurer, it is the Minister of Transportation. With the highest of respect, he has gone much too far.

I do not know what kind of influence the minister is under, but I would kindly remind him that there was no rush for this legislation. My colleagues and I are reasonable, always willing to put our best foot forward collectively with the government to help with positive amendments that will work in the real world, because no one knows better than the New Democrats about the real world, about the social conscience that should be behind every piece of legislation.

[Laughter]

Mr. Pouliot: I do not think this is a laughing matter.

I believe in this minister. I really believe he meant well for the people of the north. Today, I am disappointed, knowing the minister's ability to come up with proper legislation. Of course, I did not expect the world, but I expected the people would be helped as opposed to being penalized.

We will be sending this legislation to committee, at which time, again and again, the New Democratic Party under its critics—I am not the critic and I just availed myself of the opportunity to say a few words—will be presenting some positive amendments.

Mr. Sterling: It is a refreshing change to participate in a debate on a Liberal initiative that will actually result in less, rather than more, regulation, that will stimulate, rather than stifle, competition and that could potentially make our economy more, rather than less, productive. While I refer to it as a Liberal initiative, I am certain we in this chamber all recognize the fact that this is actually a former Progressive Conservative initiative, one that was created by our

former colleague, the honourable James Snow, through his consultation with representatives from the shipping and trucking industries.

1720

I referred to a refreshing change because the record and policies of this administration clearly demonstrate that it has yet to learn the difference between constructive participation and destructive interference in the competitive marketplace. In the past, this government has shown itself all too eager to add to the regulatory burden of our economy.

It has established an incomprehensible and unworkable system of regulating residential rents in our province. It has created a whole new regulatory regime and bureaucracy to reduce competition in the auto insurance field. It has imposed a sweeping pay equity policy on the private sector without first even testing it on its own domain.

It has reduced the competitiveness of the provincial economy by instituting one of the largest tax grabs in the history of our province. I am sure we can all recall the recent budget of the Treasurer and the many tax increases that accompanied it.

It is opposed to the free trade agreement, an agreement which, as the Economic Council of Canada as well as the province's own Treasury officials have pointed out, offers considerable scope for productivity enhancement. It has pursued inflationary fiscal policies, allowed spending restraints to erode and added substantially to the size of the public service.

In sum, while this government talks a good line on the need to make our economy more competitive and productive, its own regulatory and fiscal policies are such that they make those objectives all the more difficult to achieve.

The government then appears to be at cross purposes with itself. In so far as these initiatives signal that the government has finally accepted that deregulation provides an effective means of improving competitiveness, they are most welcome.

I would like to digress for one moment and remind the House that when I had the privilege of serving as Provincial Secretary for Justice, I was responsible for regulatory reform. It was a concept whereby our government had a constant vigil on government regulation. This government has not demonstrated that same concern over regulation. I am therefore pleased to see the government attempting, on this issue, to follow our lead.

All members will appreciate that these measures will make Ontario's regulations more consistent, in both spirit and substance, with reforms implemented by the federal government and other provincial governments. All members will also appreciate that the impact of these reforms will reach well beyond Ontario's trucking industry and affect producers, shippers and consumers in all other sectors of the Ontario economy, particularly our manufacturers.

Those of us who have followed this issue will know that the distribution and transportation charges represent a very large portion of the cost of getting a product to market. It is also well known that truck transportation is a primary means of shipping in Ontario. The Canadian Manufacturers' Association has estimated that about 65 per cent of manufactured goods for the domestic and export markets are shipped by truck.

Further, the Ontario Road Builders' Association has told us that about 100 million tonnes of freight are shipped across our roads each year and that goods exported from Ontario by truck are valued at over \$36 billion annually. In fact, fully 25 per cent of all truckers in Canada operate in Ontario and carry 30 per cent of the total Canadian truck freight.

These facts alone make it clear just how important it is that our producers, and especially our manufacturers, who employ over a million people in this province and account for three quarters of our production, have access to cost-efficient trucking. By easing entry into the trucking industry, deregulation will lead to increased competition on both price and service and lead to greater innovation. This will mean that our manufacturers will benefit from a more flexible system, which could potentially reduce their costs and consequently improve the competitiveness of their products.

Deregulation would also mean that producers in this province would be able to take best advantage of our road and highway infrastructure, in which the people of Ontario have invested billions of dollars. Deregulation would also result in the creation of more opportunities for people who want to enter the trucking industry. Further, it will enable the trucking industry to better respond to new developments and demands, such as the adoption of just-in-time inventory processes.

I would suggest that lower costs, more competition and better service are three good reasons for supporting deregulation in this sector. I would also suggest that deregulation is

even more necessary now that we are moving into a period of more liberalized trade in which our manufacturers will have to take advantage of every opportunity to boost their productivity.

We cannot afford to burden our producers in the intensely competitive 1980s and 1990s with a system of regulating truck transportation that has its roots in the 1920s. The Americans have already deregulated the trucking industry and shippers have realized an average saving of 20 per cent off the tariff since 1980. If we want our producers to remain competitive, we have to be prepared to provide them with similar savings through regulatory reform.

We must also realize that the present regulatory structure is unenforceable. The public necessity and convenience clause has long since outlived its usefulness. We are also cognizant of the fact that we cannot under any circumstances sacrifice safety merely to save dollars.

Not only is there a need for safety; there is also a need for fairness with respect to our trucking industry. It must be allowed equal access to the US markets and be able to compete on an equal footing. A reciprocity clause that ensures equal opportunity and participation for both sides is a matter that should be given serious consideration.

In conclusion, this House is frequently awash with the economic buzzwords of the decade—productivity, competitiveness, technology transfer, world class—and with laments about our poor record on productivity growth. We now have the opportunity to help increase the competitiveness of our manufacturers by increasing competition in our trucking industry. Our party is therefore in favour of this legislation, as it is an opportunity that cannot be ignored.

Hon. Mr. Fulton: My desk looks like a chicken coop with tracks all over it, but I will attempt to recognize as much as I possibly can the thoughtful input put forward by a number of members today.

I certainly welcome the initiative of the member for Sault Ste. Marie to have extensive review, as I expect we will, in the standing committee on resources development.

I want to make a quick comment because of his constant referral to the federal trade act with respect to our trucking legislation. The Truck Transportation Act is not related to the FTA, the free trade agreement. The TTA is designed to improve flexibility and services in our Ontario trucking industry. With or without free trade, the benefits to the Ontario economy from the TTA are desirable. The free trade agreement does not

include any transportation issues. The existing border restrictions under customs and immigration will not change.

1730

Ontario trucking licences have always been available to any applicant without discrimination and, as a result, the major US-owned trucking companies already operate in this province as part of the Ontario trucking industry. I welcome the member's support for our fitness test and wanted to comment that most of the Americans wanting to be in business here are already here.

That has been indicated as well by a thoughtful executive of the Ontario Trucking Association, with whom we have met from time to time. In fact, they do not see any great fear of an influx from the Americans to further expand their operations in Ontario.

The member made reference to one particular company in the north, Manitoulin Transport, but neglected to indicate the other support that comes from northern Ontario, from companies like Trans-Provincial Freight Carriers, which is very enthusiastically supportive of the bills; from the owner-operators' association from the north; from the city of Sudbury by resolution and from the city of New Liskeard by resolution; and I can assure you, Mr. Speaker, there are others.

As we stated earlier, our commercial vehicle operator's registration will enhance safety. I would like to point out to the member that having a northern licence does not obligate one, in fact, to provide that kind of service.

With respect to the statistics introduced to relate to the United States experience, mainly based in 1980 when the recession was at its peak and interest rates were at their highest, members will recall that in the 1978 and 1980 process the Americans did not implement, and are only now implementing, safety regulations to support their reregulation. It was stated that it will reduce jobs, when it is true, from the figures we have and have made available, that there is a net increase in employment throughout the overall industry.

With respect to the question of reciprocity, there are legal opinions, and our legal opinions say it is unconstitutional. It is just as difficult for an American to gain entry, and it must be made known here that it is just as difficult for an American to gain certain authorities within the United States as the member is suggesting our people go through here, so that there is equal treatment under law, and that is the principle I think we need to maintain.

To suggest that Ontario will be invaded by US drivers interprovincially is wrong; it is forbidden

by the federal customs and immigration laws. The public interest test can allow the Ontario Highway Transport Board to recommend limits on fleets under new applications, and I would like to remind the member for Sault Ste. Marie that in excess of 1,100 Canadian operators are currently operating, I am sure most successfully, within the United States.

He is suggesting that we are attempting to railroad this legislation through the House. In fact, some members—and I think the member for Lanark-Renfrew (Mr. Wiseman)—would recall that these bills or bills in various forms have been before us for 12 years. It has taken that long to get them this far.

There is widespread support for this legislation, on all three bills: as previously mentioned the Canadian Manufacturers' Association, boards of trade from across the province, the Ontario Shippers' Coalition and a few others. I would like to take the opportunity to read some of them into Hansard:

"Shippers comprise every mine, every factory, every mill and every store in every community of Ontario. Not only that, but shippers own and operate well over 50 per cent of the trucks on our highways. The health of those businesses is dependent upon getting competitive transportation." That is a letter from David Long, president of the Canadian Industrial Transportation League.

"Distribution costs make up a sizeable component of our total operating costs and, hence, legislation impacting on this area of our business is monitored very closely. With the above in mind, we urge you to push aggressively for the quick passage of Bill 88." That was sent from the Diversey Wyandotte Inc. chemical company.

Further, SKF Canada writes:

"Our distribution network for Canada is centred in Ontario, hence our very real concern that there should be any further delay with respect to the Ontario truck transportation bill, 88.

"The services that the trucking industry provides and their attendant cost must be freed to respond to forces within the marketplace. Bill 88 will open up competition. SKF relies heavily on the motor carrier. Lower distribution costs will give us a competitive edge. Ontario must not fall behind. The federal government has already moved Bill C-119."

That is signed by the president of SKF Canada Ltd.

Coles Books writes: "It is now time to act. Your government has shown the necessary

leadership in recognizing that today's economic environment necessitates a more streamlined, efficient and competitive transportation network."

From Pathex International in Don Mills: "We recommend the passage of Bill 88, resulting in improved competition, improved job security and benefit to the whole province of Ontario."

From a manufacturing company in Dundas: "Our customers from coast to coast in Canada have benefited as we have passed along the transportation savings that have developed in the preliminary deregulation phase, so I urge you to press on and pass Bill 88."

From Rubbermaid in Mississauga, "It is imperative that Bill 88 be proclaimed before the current government session ends."

There are many others, from Procter and Gamble, Willington Body, Watson, Bowman, Acme, Snap-on Tools; and one last one in particular:

"The bill provides more competitive transportation costs and service, resulting in lower operating costs. The bill provides job protection for our employees. The federal government has passed Bill C-119 to deregulate truck transportation between the provinces, and the other provinces, notably Quebec, are passing legislation to enable other provinces to take advantage of this. Ontario will fall behind. Our cost of doing business is very reliant on competitive trucking to our inbound freight."

That is from Noranda, from Manitouwadge.

Interjection.

Hon. Mr. Fulton: They employ people in that area.

My colleague the member for Lanark-Renfrew recognized, as I would do, the efforts by my predecessor, the member for Simcoe West, who is sitting opposite, and the former member for Oakville, Mr. Snow, to bring forward this legislation.

Since, however, he introduced a letter from a gentleman in Stayner, I did want to mention that in fact the very opposite is true. The gentleman in Stayner, through this legislation, would be one of the very people we would be able to attract into this business.

He mentioned a number of issues, which I would refer to as taxing matters, that have been and will continue to be addressed. However, the overall costs of operating have to be taken into consideration, and our 1987 studies show that, in fact, Canadian and Ontarian operators can operate at 10 per cent less than their competition. But I do appreciate the other thoughtful com-

ments that the member for Lanark-Renfrew made.

I will attempt to wrap it up and will have to address at committee some of the other issues raised here.

I welcome the input from the member for Carleton (Mr. Sterling). His very thoughtful comments are generally supportive of what we are doing. I think he helped get to the nub of the issue, which is addressing the costs of transportation to everyone in this province and the volumes that are on our highways. He addressed the needs of a million employees employed in the transportation industry, who are paramount in what we are attempting to do and cannot be ignored. Whether you own the company, drive the truck or maintain the truck, you have an interest in the industry.

The ease of entry, as he stated, is really what is at stake. You can get into the business more easily, but it is going to be a lot tougher for you to stay in the business. It will be more competitive, so Ontarians will benefit. There will be more opportunities for business, and that means more jobs. There will be substantially more opportunities for safety, and that will mean lives saved on our highways. We recognize, as the member for Carleton indicated, the changing marketplace, the just-in-time delivery demands placed on shippers and carriers.

Finally, it is time, in Ontario, to bring the 1920s legislation into 1988.

1740

Mr. Speaker: Mr. Fulton has moved second reading of Bill 88.

All those in favour will please say "aye."

All those opposed will say "nay."

In my opinion the ayes have it.

Vote stacked.

ONTARIO HIGHWAY TRANSPORT BOARD AMENDMENT ACT

Hon. Mr. Conway: Mr. Speaker, I would like to seek a consent. There seems to have been a slight confusion as we dealt with the previous item, the second reading of Bill 87. I would like to seek unanimous consent to revisit the question, "Shall Bill 87 be read a second time?" If we could have unanimous consent to revisit that, we might clarify a certain matter.

Mr. Speaker: Is there unanimous consent that the vote on second reading of Bill 87 be withdrawn and redone?

Agreed.

Mr. Speaker: I will put the question. Is it the pleasure of the House that Mr. Fulton's motion for second reading of Bill 87 carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Vote stacked.

ENVIRONMENT STATUTE LAW AMENDMENT ACT

Ms. Hart moved, on behalf of of Hon. Mr. Bradley, second reading of Bill 148, An Act to amend certain Acts respecting the Environment.

Ms. Hart: Bill 148, entitled the Environment Statute Law Amendment Act, amends the Environmental Protection Act, the Ontario Water Resources Act and the Pesticides Act.

As the Minister of the Environment (Mr. Bradley) advised the House on June 2, the new bill includes amendments which will streamline and clarify hearing procedures and strengthen the decision-making authority of the Environmental Assessment Board. As well, several of the amendments will be aimed at a more efficient use of staff and its time. The ministry's powers of entry and inspection will also be made more precise, in the light of developing jurisprudence under the Charter of Rights and Freedoms. This is of particular importance to our enforcement procedures, to make sure that they are strong as well as fair.

I am going to be moving four groups of amendments to the bill; two are intended to clarify the definition of the terms used.

First is a single amendment to the definition of "person" in the Environmental Protection Act. This will be amended to ensure that regional municipalities are entitled to the same protection as other municipalities under section 9 of the act, the spills bill.

Second is a set of amendments to add the defined term "waters" to the bill. This will eliminate constant repetition of the words "well," "lake," "river," "pond," "stream" and "reservoir," which are the types of waters protected under the Ontario Water Resources Act.

Third is the inclusion of section 35 of the Environmental Protection Act in the new provisions allowing the Environmental Assessment Board to make decisions. Section 35 deals with bylaws of municipalities which affect waste disposal sites. Now, the decision on whether to override those bylaws is up to the minister. The motion will transfer that power to the Environmental Assessment Board.

Fourth is a set of amendments to sections 56 and 57 of the bill. Those sections contain the powers of entry and inspection to be inserted into the Ontario Water Resources Act but which were originally developed for the Environmental Protection Act. My motions will customize those provisions to better fit the wording of the Ontario Water Resources Act.

We look forward to the co-operation of all parties to ensure continued improvement in our protection of the environment.

On motion by Mrs. Grier, the debate was adjourned.

Hon. Mr. Conway: There was agreement that certain divisions be taken at or about 5:45 p.m. Looking at the clock, I notice it is now 5:45 p.m., and I would be happy to have those divisions.

Mr. Speaker: There are a number of motions before the House.

1800

RETAIL BUSINESS HOLIDAYS AMENDMENT ACT

The House divided on Hon. Mrs. Smith's motion for second reading of Bill 113, which was agreed to on the following vote:

Ayes

Adams, Beer, Black, Bossy, Brown, Callahan, Campbell, Caplan, Carrothers, Chiarelli, Cleary, Collins, Conway, Cooke, D. R., Cordiano, Curling, Dietsch, Eakins, Elliot, Elston, Epp, Faubert, Fawcett, Ferraro, Fleet, Fontaine, Fulton, Furlong, Grandmaitre, Haggerty, Hart, Hošek, Kerrio, Keyes, Kozyra, Kwinter, Lipsett, Lupusella;

Mahoney, Mancini, Matrundola, McClelland, McGuigan, McGuinty, McLeod, Miclash, Miller, Morin, Neumann, Nicholas, Nixon, J. B., Nixon, R. F., Oddie Munro, Offer, O'Neil, H., O'Neill, Y., Owen, Pelissero, Poirier, Polsinelli, Poole, Ramsay, Ray, M. C., Reycraft, Riddell, Roberts, Ruprecht, Smith, E. J., Sola, Sorbara, South, Sullivan, Sweeney, Tatham, Velshi, Ward, Wilson, Wrye.

Nays

Allen, Breaugh, Bryden, Charlton, Cooke, D. S., Cousens, Cunningham, Cureatz, Eves, Farnan, Grier, Hampton, Harris, Jackson, Johnson, J. M., Mackenzie, Marland, Martel, McCague, McLean, Morin-Strom, Pollock, Pouliot, Reville, Sterling, Swart, Wildman, Wiseman.

Ayes 78; nays 28.

Bill ordered for standing committee on administration of justice.

EMPLOYMENT STANDARDS AMENDMENT ACT

The House divided on Hon. Mr. Sorbara's motion for second reading of Bill 114, which was agreed to on the same vote.

Bill ordered for standing committee on administration of justice.

1806

ONTARIO HIGHWAY TRANSPORT BOARD AMENDMENT ACT

The House divided on Hon. Mr. Fulton's motion for second reading of Bill 87, which was agreed on the following vote:

Ayes

Adams, Beer, Black, Bossy, Brown, Callahan, Campbell, Caplan, Carrothers, Chiarelli, Cleary, Collins, Conway, Cordiano, Cousens, Cunningham, Cureatz, Curling, Dietsch, Eakins, Elliot, Elston, Epp, Faubert, Fawcett, Ferraro, Fleet, Fontaine, Fulton, Furlong, Grandmaitre, Haggerty, Harris, Hošek, Jackson, Johnson, J. M., Kerrio, Keyes, Kozyra, Kwinter, Lipsett, Lupusella;

Mahoney, Mancini, Marland, Matrundola, McCague, McClelland, McGuigan, McGuinty, McLean, McLeod, Miclash, Miller, Morin, Neumann, Nicholas, Nixon, J. B., Nixon, R. F., Oddie Munro, Offer, O'Neil, H., O'Neill, Y., Owen, Pelissero, Poirier, Pollock, Polsinelli, Poole, Ramsay, Ray, M. C., Reycraft, Riddell, Roberts, Ruprecht, Smith, E. J., Sola, Sorbara, South, Sterling, Sullivan, Sweeney, Tatham, Velshi, Ward, Wilson, Wiseman, Wrye.

Nays

Allen, Breaugh, Bryden, Charlton, Cooke, D. S., Farnan, Grier, Hampton, Mackenzie, Martel, Morin-Strom, Pouliot, Reville, Swart, Wildman.

Ayes 88; nays 15.

Bill ordered for standing committee on resources development.

TRUCK TRANSPORTATION ACT

The House divided on Hon. Mr. Fulton's motion for second reading of Bill 88, which was agreed to on the same vote.

Bill ordered for standing committee on resources development.

The House adjourned at 6:10 p.m.

ERRATA

No.	Page	Column	Line	Should read:
76	4140	1	21	REPAIR AND STORAGE LIENS
79	4334	2	9	there, including football, baseball, tractor pulls
79	4357	2	43	Mr. Wiseman: I would not put them on the

ANSWERS TO QUESTIONS IN ORDERS AND NOTICES

GOVERNMENT VEHICLES

124. Mr. McLean: Would the Minister of Government Services provide a list of the deputy ministers who have government-assigned vehicles, as well as a list of deputy ministers who have government-assigned chauffeurs? [Tabled May 2, 1988]

Hon. Mr. Elston: The attached list indicates the deputy ministers who have government-assigned vehicles. There are no deputy ministers who have government-assigned chauffeurs.

Individuals with rank and status of deputy ministers who have government-assigned vehicles:

Duncan Allan, special adviser to the Premier; Martin Barkin, Deputy Minister of Health; Peter Barnes, Deputy Minister of Community and Social Services; Thomas Brzustowski, Deputy Minister of Colleges and Universities; David Cameron, Deputy Minister of Intergovernmental Affairs; Dennis Caplice, Deputy Minister of Government Services; Bob Carman, Secretary of the Cabinet and Clerk of the Executive Council; Glenna Carr, Deputy Minister of Skills Development; Dick Chaloner, Deputy Attorney General; Gardner Church, Deputy Minister of Housing.

Bryan Davies, Deputy Minister of Financial Institutions; Hershell Ezrin, principal secretary to the Premier; Daniel Gagnier, Deputy Minister of Energy; Valerie Gibbons, Deputy Minister of Consumer and Commercial Relations; David Hobbs, Deputy Minister of Transportation; Pat Jacobsen, associate secretary of the cabinet for executive resources; Jim Keenan, Deputy Minister of Tourism and Recreation; John Kruger, chairman, Pension Commission of Ontario, and chairperson, Ontario Automobile Insurance Board.

Stindar Lal, Deputy Solicitor General; Pat Lavelle, Deputy Minister of Industry, Trade and Technology; Robert McDonald, Deputy Minister of Correctional Services; Mary Mogford, Deputy Treasurer of Ontario and Deputy Minister of Economics; Donald Obonsawin, Deputy Minister of Municipal Affairs; George Podrebarac, head of the pay equity office and chief administrative officer of the Pay Equity Commission of Ontario; Gary Posen, Deputy Minister of the Environment; Gerard Raymond, chairman, Civil Service Commission; Malcolm Rowan, industrial restructuring commissioner; Terry Russell, Deputy Minister of Revenue.

Bernard Shapiro, Deputy Minister of Education; David Silcox, Deputy Minister of Culture and Communications; John Sloan, secretary, Management Board of Cabinet; Brock Smith, Deputy Minister of Northern Development and Deputy Minister of Mines; Don Stevenson, senior representative of the government of Ontario to Quebec and federal government; Clayton Switzer, Deputy Minister of Agriculture and Food; Glenn Thompson, Deputy Minister of Labour; Elaine Todres, Deputy Minister, Human Resources Secretariat; George Tough, Deputy Minister of Natural Resources; Blair Tully, president and chief executive officer, Ontario International Corp.; Stephanie Wychowanec, chairman, Commercial Registration Appeal Tribunal.

ONTARIO LOTTERY CORP.

272. Miss Martel: Would the Minister of Tourism and Recreation provide the following financial information for the Ontario Lottery Corp. to March 31, 1988: approved spending totals in 1987-88—actual and dedicated—of proceeds from (a) provincial games and (b) interprovincial games, and total accumulated reserves from (a) provincial games and (b) interprovincial games? [Tabled May 26, 1988]

Hon. R. F. Nixon: Although this question was directed to the Minister of Tourism and Recreation, the information requested more properly falls under the purview of the Ministry of Treasury and Economics.

Estimated interim lottery spending for 1987-88:

(a) Wintario/Lottario—In 1987-88, interim provincial spending on physical fitness, sports, recreation and culture totalled \$95 million while profits from Wintario/Lottario were only \$68 million.

(b) Instant games—For 1987-88, estimated interim proceeds were \$96 million.

(c) Interprovincial games—Profits from interprovincial games flow into general revenues to be used for unrestricted general purposes. In 1987-88, interim proceeds from interprovincial games totalled \$306 million.

Estimated cumulative unspent balance as at March 31, 1988:

(a) Wintario/Lottario—During the period 1975-76 to 1987-88, the province spent an estimated \$1.01 billion on recreation and culture from Wintario/Lottario profits. Profits during the

same period were \$1.105 billion, resulting in a cumulative notional unspent balance of \$95 million for 1987-88.

(b) Instant games—The cumulative notional unspent balance for instant games from 1983-84 to 1987-88 totalled \$274 million for 1987-88.

(c) Interprovincial games—Since profits from interprovincial games flow into the consolidated revenue fund for general purposes, no unspent balance exists.

SALE AND LEASEBACK OF PUBLIC ASSETS

273. Mr. Jackson: Would the Minister of Colleges and Universities table a list of all colleges and universities approved by the ministry in regard to the sale and/or leaseback of facilities and equipment? [Tabled May 30, 1988]

Hon. Mrs. McLeod: The ministry did not approve any colleges or universities plan to enter into a sale and/or leaseback of facilities and equipment.

274. Mr. Jackson: Would the Minister of Colleges and Universities table all correspondence between the ministry and Ontario colleges and universities in regard to the sale and/or leaseback of facilities and equipment? [Tabled May 30, 1988]

Hon. Mrs. McLeod: Attached is the correspondence between the ministry and Ontario colleges and universities in response to the abovenoted question.

University of Guelph
January 6, 1988

Dr. Thomas A. Brzustowski
Deputy Minister
Ministry of Colleges and Universities
101 Bloor Street West
14th Floor
Toronto, Ontario
M5S 1P7

Dear Dr. Brzustowski:

The University of Guelph is currently negotiating an arrangement to finance capital expansion of the library facilities. The essence of the plan is that the university will transfer title of its circulation books and in turn lease back the books from the purchaser. The lease terms and conditions will ensure that the university retains all the benefits of effective ownership and has the right to quiet possession. The books will remain with the university during the life of the lease and the university will repurchase the title to books at the end of the lease.

The university intends to take advantage of favourable interest rates offered by lessors as a result of tax benefits they will receive. The extent of our involvement will be in the \$60 million to \$100 million range. Prior to finalizing this arrangement, the board of governors will ensure that any risks have been minimized and the appropriate legal and tax advice has been obtained.

Many institutions both public and private have entered into such arrangements; in particular, hospitals have been very active in this type of financing. For your information, we have attached correspondence from North York General Hospital to the assistant deputy minister, institutional division of the Ministry of Health, and Mr. Reid's response.

We would appreciate hearing from you if you have any concerns about the University of Guelph using this type of vehicle to finance capital expansion.

Yours truly, C. C. Ferguson, vice-president, administration.

Ministry of Colleges and Universities
February 24, 1988

Mr. C. C. Ferguson
Vice-President, Administration
University of Guelph
Guelph, Ontario
N1G 2W1

Dear Mr. Ferguson:

Thank you for your letter of January 6, 1988, regarding your plan to enter into a sale and leaseback of the University of Guelph's library books.

The Ministry of Colleges and Universities believes that the implications of this type of arrangement for both universities and hospitals should be reviewed from an overall Ontario government perspective. Therefore, I have asked the Deputy Treasurer, Ms. Mary Mogford, to review the University of Guelph's proposal and to respond to you directly in this regard.

Yours sincerely, Thomas A. Brzustowski,
Deputy Minister.

Université d'Ottawa/University of Ottawa
May 5, 1988

Honourable Lyn McLeod
Minister
Ministry of Colleges and Universities
101 Bloor Street
13th Floor
Toronto, Ontario
M5S 1P7

Re Leaseback agreements

Dear Mrs. Minister:

Enclosed please find a copy of a letter sent this date to the Honourable Robert Nixon. In view of the fact that your advice will undoubtedly be sought prior to any announcement, I would request a meeting with you to explain this university's position and relevant background.

Yours sincerely, Antoine D'Iorio, rector and vice-chancellor.

Université d'Ottawa/University of Ottawa
May 16, 1988

Dr. Thomas Brzustowski
Deputy Minister
Ministry of Colleges and Universities
101 Bloor Street West
14th Floor
Toronto, Ontario
M5S 1P7

Dear Dr. Brzustowski:

I enjoyed our conversation at dinner on Monday and I'm writing to you, as suggested, to outline some aspects of our sale-leaseback transaction and other similar transactions which might have some impact on the attitude of the provincial government towards such transactions.

1. As near as can be determined, such transactions by the universities or hospitals do not cause any incremental loss of tax revenue whatsoever for the province or the federal government. Paradoxical as this may seem, it arises from the fact that it is a buyer's market for such transactions, and the buyers/lessors decide at the beginning of each year the total dollar amount of such transactions which they require in order to match various other cash flows. Once that level has been established, they do not proceed beyond it, but they will write such deals inside or outside the province of Ontario or even outside Canada, with public or private organizations, depending on the circumstances and availability. Once the limit for a particular year has been achieved, the major half dozen players in that game simply stop looking for deals. Consequently, it is determined in advance how much tax deferral and tax saving the consolidated revenue funds of the province and the federal government will be put to. By barring universities and hospitals from participating in such deals, all the Treasurer does is guarantee that none of the advantage from such transactions will flow to the untaxed public sector in the province of Ontario, without gaining for himself or his federal counterpart a single nickel. It seems likely that even in a future steady state situation,

he is therefore depriving the hospital and university sector of some \$25 million a year as a minimum in future benefits.

2. The Treasurer's desire to have the federal government show the same level of outrage that he has shown at these transactions is unlikely to meet with a successful response. The federal government in the form of many of its crown corporations relies heavily on such transactions and it has accepted the arguments which I outlined in point 1 above, as have the provinces of British Columbia and Alberta, who would be very concerned to see the federal law changed. It is, of course, an unusual happenstance that the headquarters of most of the major financial enterprises engaging in such transactions are in Ontario, but none the less their presence in Ontario means that despite any tax deferral they may achieve, they do pay substantial provincial taxes in Ontario.

3. The Treasurer seems to have taken an inconsistent stance. The universities are being told to hustle, to show some entrepreneurship and attract whatever outside resources they can. Particularly attractive from the point of view of the government, apparently, is that the universities go ahead and solicit larger and larger amounts of charitable donations. Ironically, these charitable donations do represent further incremental tax losses to the province and the federal government. Every dollar of charitable donation which we receive from a major donor costs the provinces and federal government somewhere between 40 and 50 cents, and the amount can be greater if the specific enterprise uses a particular research form. It is true that the apparent tax loss on donation is less than the apparent tax loss in a sale-leaseback transaction when compared to the dollars that the hospitals or universities receive, but the key point here is that one is incremental and the other would have occurred in any event.

4. If a university is short of space and elects to rent space, then the lessor is able to depreciate that building at four or five per cent depending when that building was built. If a university chooses in the future not to buy books or scientific equipment, boilers or windows or elevators, but rather to arrange to have a third party buy them and then lease them from that third party, we are free to do so prospectively. Apparently, we are not able to make such a determination to do so retroactively. Prospectively, we would have all of those tax advantages.

5. The advisers to the Treasurer appear to have made some mistakes in their actual calculations. It also appears that they are unaware of the provincial capital tax which occurs when assets are transferred from the untaxed sectors to the taxed sectors. We have analysed the University of Ottawa deal very carefully in the light of current tax law and with appropriate discount rates. Even if we accepted the argument that the deal which we wrote was an incremental deal which actually added to tax deferral rather than simply being part of a mass of transactions which would have taken place in any event, the numbers still are not as Mr. Nixon's release would have it. The Treasurer's position was that these deals could be as bad as to give only 10 cents of every dollar of tax deferral or tax avoidance to the institution involved. For the University of Ottawa deal, we have concluded that even in a context where the deal was not terribly finely tuned, the University of Ottawa received more than a third of the present value of all tax deferrals and tax reductions which would have occurred at both the federal and provincial levels. If compared to the provincial situation alone, we probably achieved quite close to 100 per cent of all of the deferrals and reductions which would have occurred at the provincial level. I do agree, however, that this would not be a particularly good deal from the point of view of the taxpayer if such transactions were incremental.

6. One genuine difficulty, however, which the Treasurer did not mention but of which we should be aware, is that if such transactions become popular over time, and if the volume of such business to be written is determined by other factors in the financial positions of the large financial enterprises which undertake such transactions, then it will become even more a buyer's market and the pricing of such transactions will be affected. In such a climate, the deal which the University of Ottawa entered into and from which it received \$2.6 million might become a deal where some future institution would only receive perhaps \$1.5 million because of the intense competition for such deals. This is a legitimate concern but one for which I see no particular solution except the wisdom of the marketplace.

In conclusion, then, I can only reiterate my view that such transactions are not only perfectly legal but are beneficial both to the universities and hospitals and to the province of Ontario as a whole. A moratorium on such transactions will

only ensure that all benefits from such transactions simply flow out of the province.

Sincerely yours, John Scott Cowan, vice-rector, resources and planning.

PRIVATE BIBLE COLLEGES AND SEMINARIES

318. Mr. Jackson: Would the Minister of Colleges and Universities explain whether the document entitled Ministry of Colleges and Universities/Minimum Standards Regarding Statutory Incorporation of Private Bible Colleges and Seminaries—copies of which were given to her on May 30, 1988, and again on June 1, 1988—sets out guidelines recognized by her ministry as those upon which the ministry bases its decision whether or not to support an application for a charter from a private bible college or seminary? [Tabled June 2, 1988]

Hon. Mrs. McLeod: The document entitled Ministry of Colleges and Universities/Minimum Standards Regarding Statutory Incorporation of Private Bible Colleges and Seminaries describes the policy criteria and guidelines upon which the ministry bases its decision on whether to support an application for a charter from a private bible college or seminary.

319. Mr. Jackson: Would the Minister of Colleges and Universities describe, in the event that only some of the guidelines contained in the document entitled Ministry of Colleges and Universities/Minimum Standards Regarding Statutory Incorporation of Private Bible Colleges and Seminaries are still of force and effect, which of those standards no longer apply and their replacements, if any, as well as any new standards also being applied by her ministry? [Tabled June 2, 1988]

Hon. Mrs. McLeod: The policy criteria listed in the Ministry of Colleges and Universities/Minimum Standards Regarding Statutory Incorporation of Private Bible Colleges and Seminaries are still applicable.

CANADA CHRISTIAN COLLEGE

320. Mr. Jackson: Would the Minister of Colleges and Universities state whether or not external adviser Bert Hansen was at any time prior to or during his review of the application for a charter from Canada Christian College provided with a copy of the document entitled Ministry of Colleges and Universities/Minimum Standards Regarding Statutory Incorporation of Private Bible Colleges and Seminaries; if so, would she state when; if not, would she explain why not? [Tabled June 2, 1988]

Hon. Mrs. McLeod: The external adviser was provided with a copy of the document on April 19, 1988.

323. Mr. Jackson: Would the Minister of Colleges and Universities provide, given that her predecessor on February 11, 1987, wrote to Rev. Elmer McVety, president of Canada Christian College, in part, as follows, "I am willing to appoint an external adviser to assess your application against the ministry's policy criteria," a list of the policy criteria to which her predecessor referred in that letter? [Tabled June 2, 1988]

Hon. Mrs. McLeod: The policy criteria referred to in the letter of February 11, 1987, as stated in the abovenoted question, are as follows: sufficient resources to offer a sound academic program; support of the community the applicant wishes to serve, and ability to manage an institution of higher learning.

INTERIM ANSWERS

275. Mr. Brandt: Hon. Mr. Elston—The information required to answer this question cannot be obtained within the normal period of 14 days. An answer should be available on or about December 31, 1988.

277. Mr. Mackenzie: Hon. Mr. Elston—In order to collect the information requested, we will require more than the normal 14 days and propose to provide a response approximately July 28, 1988.

RESPONSES TO PETITIONS

RETAIL STORE HOURS

Sessional paper P-7, re Sunday shopping.

Hon. Mrs. Smith: The government has concluded that municipalities should have the option to decide retail hours on Sundays and other holidays and has introduced legislation to accomplish this.

The legislation recognizes that attitudes and conditions vary widely across the province, and that municipal governments are in the best position to determine, locally, appropriate approaches to this issue. It should be emphasized that this does not imply wide-open Sunday shopping. Those municipalities that wish to open may do so. Those that wish to restrict Sunday shopping may require retailers to remain closed on Sunday.

The Minister of Labour has introduced legislation which will establish the right of all retail

workers to refuse Sunday work, which is in their view unreasonable. That legislation will protect workers against reprisals and provide for mediation to resolve situations in which the parties cannot agree.

The current situation clearly needs to be addressed. Inconsistencies in the present legislation have led to unfairness and uneven enforcement of the law. The proposed amendments will ensure that the law is fair and enforceable.

NURSING SERVICES

Sessional paper P-17, re College of Nurses.

Hon. Mrs. Caplan: The College of Nurses of Ontario may, within the current health disciplines legislation, develop proposals to revise standards of nursing practice. The CNO is now proposing revised standards which would establish graduation from a degree-granting institution as the minimum entry level for RNs. However, the Ministry of Health must approve all proposed changes which would alter regulations. Entry-to-practice educational requirements (RNAs) are included in regulations. As minister I stated that I will not consent to a change in the regulations which would establish a degree as a requirement for entry to nursing practice.

The council members of the CNO are elected by CNO registrants in constituencies across the province. Registrants who believe that their elected members are not representing their views or feel that the CNO feedback strategies are inadequate should address their concerns to their representatives.

DRYDEN BOARD OF EDUCATION

Sessional paper P-19, re Dryden Board of Education.

Hon. Mr. Ward: Subsection 150(6) of the Education Act indicates that a board, not the Ministry of Education, may determine the number and kind of schools to be established within its jurisdiction. Further, regulation 262, section 12, empowers the principal of a school to organize and manage the school. This legislation is in place to ensure that trustees elected locally make decisions affecting local schools. It would be inappropriate for the Ministry of Education to attempt to influence the decisions of the Dryden Board of Education in this matter.

ALPHABETICAL LIST OF MEMBERS*
(130 seats)

First Session, 34th Parliament

Lieutenant Governor: Hon. Lincoln M. Alexander, PC, QC

-
- | | |
|---|--|
| <p>Adams, Peter (Peterborough L)
 Allen, Richard (Hamilton West NDP)
 Ballinger, William G. (Durham-York L)
 Beer, Charles (York North L)
 Black, Kenneth H. (Muskoka-Georgian Bay L)
 Bossy, Maurice L. (Chatham-Kent L)
 Bradley, Hon. James J., Minister of the Environment (St. Catharines L)
 Brandt, Andrew S. (Sarnia PC)
 Breaugh, Michael J. (Oshawa NDP)
 Brown, Michael A. (Algoma-Manitoulin L)
 Bryden, Marion (Beaches-Woodbine NDP)
 Callahan, Robert V. (Brampton South L)
 Campbell, Sterling (Sudbury L)
 Caplan, Hon. Elinor, Minister of Health (Oriole L)
 Carrothers, Douglas A. (Oakville South L)
 Charlton, Brian A. (Hamilton Mountain NDP)
 Chiarelli, Robert (Ottawa West L)
 Cleary, John C. (Cornwall L)
 Collins, Shirley (Wentworth East L)
 Conway, Hon. Sean G., Minister of Mines (Renfrew North L)
 Cooke, David R. (Kitchener L)
 Cooke, David S. (Windsor-Riverside NDP)
 Cordiano, Joseph (Lawrence L)
 Cousens, W. Donald (Markham PC)
 Cunningham, Dianne E. (London North PC)
 Cureatz, Sam L. (Durham East PC)
 Curling, Hon. Alvin, Minister of Skills Development (Scarborough North L)
 Daigeler, Hans (Nepean L)
 Dietsch, Michael M. (St. Catharines-Brock L)
 Eakins, Hon. John F., Minister of Municipal Affairs (Victoria-Haliburton L)
 Edighoffer, Hon. Hugh A., Speaker (Perth L)
 Elliot, R. Walter (Halton North L)
 Elston, Hon. Murray J., Chairman of the Management Board of Cabinet (Bruce L)
 Epp, Herbert A. (Waterloo North L)
 Eves, Ernie L. (Parry Sound PC)
 Farnan, Michael (Cambridge NDP)
 Faubert, Frank (Scarborough-Ellesmere L)
 Fawcett, Joan M. (Northumberland L)
 Ferraro, Rick E. (Guelph L)
 Fleet, David (High Park-Swansea L)</p> | <p>Fontaine, Hon. René, Minister of Northern Development (Cochrane North L)
 Fulton, Hon. Ed, Minister of Transportation (Scarborough East L)
 Furlong, Allan W. (Durham Centre L)
 Grandmaître, Hon. Bernard C., Minister of Revenue (Ottawa East L)
 Grier, Ruth A. (Etobicoke-Lakeshore NDP)
 Haggerty, Ray (Niagara South L)
 Hampton, Howard (Rainy River NDP)
 Harris, Michael D. (Nipissing PC)
 Hart, Christine E. (York East L)
 Henderson, D. James (Etobicoke-Humber L)
 Hošek, Hon. Chaviva, Minister of Housing (Oakwood L)
 Jackson, Cameron (Burlington South PC)
 Johnson, Jack (Wellington PC)
 Johnston, Richard F. (Scarborough West NDP)
 Kanter, Ron (St. Andrew-St. Patrick L)
 Kerrio, Hon. Vincent G., Minister of Natural Resources (Niagara Falls L)
 Keyes, Kenneth A. (Kingston and The Islands L)
 Kozyra, Taras B. (Port Arthur L)
 Kwinter, Hon. Monte, Minister of Industry, Trade and Technology (Wilson Heights L)
 Laughren, Floyd (Nickel Belt NDP)
 LeBourdais, Linda (Etobicoke West L)
 Leone, Laureano (Downsview L)
 Lipsett, Ron (Grey L)
 Lupusella, Tony (Dovercourt L)
 MacDonald, Keith (Prince Edward-Lennox L)
 Mackenzie, Bob (Hamilton East NDP)
 Mahoney, Steven W. (Mississauga West L)
 Mancini, Hon. Remo, Minister without Portfolio (Essex South L)
 Marland, Margaret (Mississauga South PC)
 Martel, Shelley (Sudbury East NDP)
 Matrondola, Gino (Willowdale L)
 McCague, George R. (Simcoe West PC)
 McClelland, Carman (Brampton North L)
 McGuigan, James F. (Essex-Kent L)
 McGuinty, Dalton J. (Ottawa South L)
 McLean, Allan K. (Simcoe East PC)
 McLeod, Hon. Lyn, Minister of Colleges and Universities (Fort William L)
 Miclash, Frank (Kenora L)
 Miller, Gordon I. (Norfolk L)</p> |
|---|--|

Morin, Gilles E. (Carleton East L)
 Morin-Strom, Karl E. (Sault Ste. Marie NDP)
 Neumann, David E. (Brantford L)
 Nicholas, Cindy (Scarborough Centre L)
 Nixon, J. Bradford (York Mills L)
Nixon, Hon. Robert F., Deputy Premier,
 Treasurer of Ontario and Minister of Econom-
 ics and Minister of Financial Institutions
 (Brant-Haldimand L)
Oddie Munro, Hon. Lily, Minister of Culture
 and Communications (Hamilton Centre L)
 Offer, Steven (Mississauga North L)
O'Neil, Hon. Hugh P., Minister of Tourism and
 Recreation (Quinte L)
 O'Neill, Yvonne (Ottawa-Rideau L)
 Owen, Bruce (Simcoe Centre L)
Patten, Hon. Richard, Minister of Government
 Services (Ottawa Centre L)
 Pelissero, Harry E. (Lincoln L)
Peterson, Hon. David R., Premier and Presi-
 dent of the Council and Minister of Inter-
 governmental Affairs (London Centre L)
 Philip, Ed (Etobicoke-Rexdale NDP)
Phillips, Hon. Gerry, Minister of Citizenship
 (Scarborough-Agincourt L)
 Poirier, Jean, Deputy Speaker and Chairman of
 the Committees of the Whole House (Prescott
 and Russell L)
 Pollock, Jim (Hastings-Peterborough PC)
 Polsinelli, Claudio (Yorkview L)
 Poole, Dianne (Eglinton L)
 Pope, Alan W. (Cochrane South PC)
 Pouliot, Gilles (Lake Nipigon NDP)
 Rae, Bob (York South NDP)
Ramsay, Hon. David, Minister of Correctional
 Services (Timiskaming L)
 Ray, Michael C. (Windsor-Walkerville L)
 Reville, David (Riverdale NDP)
 Reycraft, Douglas R. (Middlesex L)
Riddell, Hon. Jack, Minister of Agriculture and
 Food (Huron L)

Roberts, Marietta L. D., Deputy Chairman of the
 Committees of the Whole House (Elgin L)
 Runciman, Robert W. (Leeds-Grenville PC)
 Ruprecht, Tony (Parkdale L)
Scott, Hon. Ian G., Attorney General
 (St. George-St. David L)
 Smith, David W. (Lambton L)
Smith, Hon. E. Joan, Solicitor General
 (London South L)
 Sola, John (Mississauga East L)
Sorbara, Hon. Gregory S., Minister of Labour
 (York Centre L)
 South, Larry (Frontenac-Addington L)
 Sterling, Norman W. (Carleton PC)
 Stoner, Norah (Durham West L)
 Sullivan, Barbara (Halton Centre L)
 Swart, Mel (Welland-Thorold NDP)
Sweeney, Hon. John, Minister of Community
 and Social Services (Kitchener-Wilmot L)
 Tatham, Charlie (Oxford L)
 Velshi, Murad (Don Mills L)
 Villeneuve, Noble (Stormont, Dundas and Glen-
 garry PC)
Ward, Hon. Christopher C., Minister of
 Education (Wentworth North L)
 Wildman, Bud (Algoma NDP)
Wilson, Hon. Mavis, Minister without Portfolio
 (Dufferin-Peel L)
 Wiseman, Douglas J. (Lanark-Renfrew PC)
Wong, Hon. Robert C., Minister of Energy
 (Fort York L)
Wrye, Hon. William, Minister of Consumer and
 Commercial Relations (Windsor-Sandwich L)

*The alphabetical list of members appears in each issue. Lists of the members of the executive council, parliamentary assistants and members of committees, brought up to date as necessary, are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

CONTENTS

Monday, June 20, 1988

Members' statements

Cambridge Memorial Hospital, Mr. Farnan	4509
Counselling service, Mrs. Cunningham	4509
Giovanni Caboto Day, Mr. Leone	4509
Acid rain, Mrs. Grier	4510
Toronto area transportation, Mr. Cousens	4510
Teaching profession, Mr. Owen	4510
Fiesta Week, Mr. Breaugh	4511

Statement by the ministry

Workers' compensation, Hon. Mr. Sorbara	4511
Indemnisation des accidents du travail, l'hon. M. Sorbara	4511

Responses

Workers' compensation, Mr. Mackenzie, Mr. Harris	4513
---	------

Oral questions

Trucking industry, Mr. Morin-Strom, Hon. Mr. Peterson, Mr. Pouliot	4515
Workers' compensation, Mr. Mackenzie, Hon. Mr. Sorbara, Mr. Harris	4515
Minister responsible for women's issues, Mr. Jackson, Hon. Mr. Peterson	4518
Northern health travel grant program, Mr. Hampton, Hon. Mrs. Caplan	4518
Hazardous wastes, Mrs. Marland, Hon. Mr. Bradley	4519
Municipal-industrial strategy for abatement, Mrs. Grier, Hon. Mr. Bradley	4520
Vaughan Glen Hospital, Mr. Eves, Hon. Mrs. Caplan	4521
Hospital services, Mr. McGuinty, Hon. Mrs. Caplan	4521
Long-term disability insurance, Miss Martel, Hon. R. F. Nixon	4522
Ontario Lottery Corp., Mr. McLean, Hon. Mr. O'Neil	4522
Retirement communities, Mr. Owen, Hon. Mr. Phillips	4523
Protection of privacy, Mr. Hampton, Hon. Mr. Elston	4523
Home care, Mr. McCague, Hon. Mr. Sweeney	4524
Employment standards, Mr. Wildman, Hon. Mr. Sorbara	4525
Hazardous wastes, Mr. Cousens, Hon. Ms. Hošek	4525

Petitions

Teachers' superannuation fund, Mr. Tatham, tabled	4526
St. Clair College of Applied Arts and Technology, Mr. D. S. Cooke, tabled	4526
Counselling service, Mrs. Cunningham, tabled	4526
Retail store hours, Mrs. Cunningham, tabled	4526
Tax increases, Mr. Harris, tabled	4526

Report by committee

Standing committee on regulations and private bills, Mr. Fleet, tabled	4527
---	------

First readings

Municipality of Metropolitan Toronto Amendment Act, Bill 160, Hon. Mr. Ward, agreed to	4527
---	------

Employment Standards Amendment Act, Bill 161, Mr. Wildman, agreed to	4527
Workers' Compensation Amendment Act, Bill 162, Hon. Mr. Sorbara, agreed to	4527

Second readings

Employment Standards Amendment Act, Bill 114, Hon. Mr. Sorbara, Mr. Harris, vote deferred	4528
Highway Traffic Amendment Act, Bill 86, Hon. Mr. Fulton, Mr. Morin-Strom, Mr. Wiseman, Mr. Lupusella, agreed to	4531
Ontario Highway Transport Board Amendment Act, Bill 87, Hon. Mr. Fulton, Mr. Morin-Strom, Mr. Wiseman, agreed to	4534
Truck Transportation Act, Bill 88, Hon. Mr. Fulton, Mr. Morin-Strom, Mr. Wiseman, Mr. Pouliot, Mr. Sterling, vote deferred	4535
Ontario Highway Transport Board Amendment Act, Bill 87, Hon. Mr. Fulton, earlier vote rescinded; vote deferred	4549
Environment Statute Law Amendment Act, Bill 148, Hon. Mr. Bradley, Ms. Hart, adjourned	4549
Retail Business Holidays Amendment Act, Bill 113, Hon. Mrs. Smith, agreed to	4550
Employment Standards Amendment Act, Bill 114, Hon. Mr. Sorbara, agreed to	4550
Ontario Highway Transport Board Amendment Act, Bill 87, Hon. Mr. Fulton, agreed to	4550
Truck Transportation Act, Bill 88, Hon. Mr. Fulton, agreed to	4550

Answers to questions in Orders and Notices

Government vehicles, question 124, Mr. McLean, Hon. Mr. Elston	4552
Ontario Lottery Corp., question 272, Miss Martel, Hon. R. F. Nixon	4552
Sale and leaseback of public assets, questions 273 and 274, Mr. Jackson, Hon. Mrs. McLeod	4553
Private bible colleges and seminaries, questions 318 and 319, Mr. Jackson, Hon. Mrs. McLeod	4555
Canada Christian College, questions 320 and 323, Mr. Jackson, Hon. Mrs. McLeod	4555
Interim answers, questions 275 and 277	4556

Responses to petitions

Retail store hours, sessional paper P-7, Hon. Mrs. Smith	4556
Nursing services, sessional paper P-17, Hon. Mrs. Caplan	4556
Dryden Board of Education, sessional paper P-19, Hon. Mr. Ward	4556

Other business

Deferral of votes, Hon. Mr. Conway, Mr. Speaker, agreed to	4527
Adjournment	4550
Errata	4551
Alphabetical list of members	4557



CARON
X1
-D23

No. 83

Hansard

Official Report of Debates

Legislative Assembly of Ontario

First Session, 34th Parliament

Tuesday, June 21, 1988

Speaker: Honourable Hugh A. Edighoffer

Clerk of the House: Claude L. DesRosiers

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$16.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday, June 21, 1988

The House met at 1:31 p.m.

Prayers.

ESTIMATES

Hon. Mr. Elston: I have a message from the Honourable the Lieutenant Governor signed by his own hand.

Mr. Speaker: The Lieutenant Governor transmits estimates of certain sums required for the services of the province for the year ending March 31, 1989, and recommends them to the Legislative Assembly. It is signed by His Honour, Lincoln Alexander.

MEMBERS' STATEMENTS

MASSEY COMBINES CORP.

Mr. Mackenzie: Why did this government approve the setting up of Massey Combines Corp. only to dump all the debts from Massey-Ferguson on to it when it was the weaker company and allow the money-making operations to go to Varsity Corp., which is really just shooting the money out of the country?

What was the justification for allowing Massey-Ferguson to transfer the responsibility of its retirees' payments to that weaker company, Massey Combines Corp.?

Why is this government refusing to intervene to see that a private entrepreneur willing to invest millions to continue operations in Brantford at least gets a hearing before the receivers?

Why is this Liberal government, led by the Treasurer (Mr. R. F. Nixon), once again selling out Massey workers and retirees by its total inaction?

Why are this Liberal government and the Treasurer so willing to sacrifice the facility and the technology—the axial-flow combine and baler technology, the four-wheel-drive tractor and other pieces of equipment—developed here to the United States?

Why have this Liberal government, the Premier (Mr. Peterson) and Treasurer refused to respond to repeated requests by the Canadian Auto Workers to intervene on behalf of the workers? With over \$200 million of public funding involved in this restructuring, does the

public not have some right to answers? Why are we once again selling out the Massey workers?

ENVIRONMENT AND ECONOMY

Mrs. Marland: My statement is on the environment round tables. One of the key recommendations of the report of the National Task Force on Environment and Economy is that "each province and territory should form a multisectoral round table on environment and economy which should be fully operational by September 1988."

The report was released last September and was endorsed by the Liberal Premier of Ontario (Mr. Peterson) a month later. Almost a full year has passed and we have yet to see the establishment of Ontario's round table. Most provinces took very little time in setting up their round-table strategies.

Everyone involved in Ontario is frustrated with the unwillingness of the Minister of the Environment (Mr. Bradley) to fulfil his responsibility to both the economic and resource management sectors. Apparently, he is being heavy-handed in setting the terms of reference for our round table. He does not understand the meaning of co-operation. His "do it my way or no way" attitude is doing an injustice to the round-table concept.

The Minister of the Environment is attending the Canadian Council of Resource and Environment Ministers today and will have to report that he cannot meet the September 1988 deadline to set up Ontario's round table on the environment and economy.

I am calling on the minister today to begin consultations immediately with the leaders of industry, government and nongovernment organizations to establish the terms of reference—

Mr. Speaker: The member's time has expired.

SEXUAL ASSAULT

Mr. D. R. Cooke: Today, I will be presenting a petition with over 3,800 names on it on behalf of Survivors and Supporters Against Sexual Abuse. I would like to introduce several members of this group as they are observing the proceedings today from the west public gallery.

They are Karen Marciano, recent plaintiff in a civil suit that inspired the petition; Peter Miersma, Karen's fiancé and supporter; Virginia Hodge; Patti Kuntz; and Margaret Smith, all group members and volunteers. Over the last several months, these individuals have been collecting signatures in order to persuade the Attorney General (Mr. Scott) to amend the Limitations Act with regard to intrafamilial sexual assault and incest.

The dynamics of incest make it such that it is often impossible to proceed with court action within the stated time limit. It is often the case that victims block the abuse from their minds as a preventive measure against the mental pain. It may take years for the memories of events to surface. Victims have very low self-esteem, which makes it difficult for them to believe that anyone will listen to them.

It is for these reasons that incest or intra-familial sexual abuse should be removed from the limitation period for the tort of assault, thus allowing victims to gain redress through the civil courts. The limitation period was decided in 1897, 91 years ago, at a time when, I am certain, incest was never discussed. Changing the Limitations Act now will let the perpetrators of incest know that they cannot sexually abuse a child and get away with it.

NATIVE LAND CLAIM

Mr. Wildman: I think it is significant and symbolic that the representatives of Ontario's first nations, the Chiefs of Ontario, stand today outside the gates while we debate various affairs of the province here inside the Legislature.

Today is June 21, Indian Solidarity Day, a day in which the first nations of this country band together to ensure that everyone else in this nation realizes that the people of the first nations will not stand for the continuous erosion of their rights and demand to have those rights recognized.

In particular today, the first nations are singling out the cause of the Teme-Augama Anishnabai. It is unfortunate that this government has not taken the position that it will resolve the Bear Island land claim before there is further development in the Temagami area.

It is significant that the Minister of the Environment (Mr. Bradley) would make a decision to give an approval for the extension of the Red Squirrel Road without any further hearings last Friday, without any fanfare, without even an announcement. This government has ignored the claims of the Bear Island people for

far too long. It is not enough to say they will be resolved in the courts.

This government, if it really believes that Indian rights, treaty rights and aboriginal rights must be recognized, should resolve the Bear Island claim and negotiate with the Teme-Augama Anishnabai as soon as possible.

1340

BURLINGTON INTERNATIONAL GAMES

Mr. Jackson: It gives me pleasure to report that the 20th annual Burlington International Games will be held in Burlington, Ontario, from July 22 to July 25.

For two decades, Burlington, Vermont, and Burlington, Ontario, have in alternate years been host cities to these international games for young athletes. The concept was born during a 1968 golf game between the two respective mayors, Frank Cain and George Harrington. The next year, Vermont was host to the first Burlington International Games.

In 1969, there were 450 participants and nine events. This year, nearly 1,000 young athletes will participate in 15 events over four days.

The games are the result of intensive, year-long planning and are promoted annually through the mayor's celebrity breakfast in June.

These young participants, all between the ages of 10 and 17, provide strong examples of high-calibre athletic prowess and a commitment to excellence. Their spirit of co-operation and friendship provides a positive model for Canada-US relations.

Each year, the host city billets visiting athletes within its community, fostering a real sense of camaraderie and family. Thanks must go to the organizers and families on both sides of the border.

To those young athletes visiting from Vermont, I extend a warm and special welcome to our province. To those athletes representing Ontario, I offer our heartfelt congratulations.

I ask all members of the Legislative Assembly to join me in wishing the best to all those involved with the 20th anniversary of the Burlington International Games.

TENT CATERPILLARS

Mr. Black: My riding of Muskoka-Georgian Bay has suffered from two plagues in the past year. The first one lasted for 42 years and ended very abruptly on September 10; the second one has been with us for the past three and a half weeks.

The Toronto press has quite correctly reported the invasion of tent caterpillars in the district of Muskoka and the Georgian Bay side of the riding. I want the province and my friends across the Legislature to know and to understand very clearly that through the co-operation of all ministers in this government, we have now rid Muskoka-Georgian Bay of the tent caterpillars.

They no longer dangle from the trees. They no longer climb the buildings. They no longer walk along the streets. Muskoka is ready and beautiful for summer vacationers.

The water is crystal clear, thanks to the Minister of the Environment (Mr. Bradley). Once again, Mr. Speaker, I tell you the leaves grow on the trees in Muskoka-Georgian Bay, thanks to the Minister of Natural Resources (Mr. Kerrio).

The temperature is 30 degrees. The water temperature is 20 degrees. Muskoka and Georgian Bay are ready for summer, and I want the member for London North (Mrs. Cunningham) and the member for Mississauga South (Mrs. Marland) to know that they can now return to Muskoka and enjoy their summer vacations.

ANTIQUÉ BOAT SHOW FOR ONTARIO

Mr. McLean: I want to inform the Legislature and the people here that a boat show is being held in the port of Orillia this year. It is the Antique Boat Show for Ontario.

It has moved down from Muskoka to where the country is better; it wants to come and enjoy the great hospitality we show in Simcoe East.

I want all the members to come to Orillia on the weekend of the 15th and 16th of July for this great, historic event.

ORAL QUESTIONS

COMMUNITY HEALTH SERVICES

Mr. Reville: My first set of questions is for the Minister of Health.

It has now been more than a year since this Legislature passed An Act to amend the Nursing Homes Act and more than a year since the previous Minister of Health promised that the Health ministry would be "working very hard with respect to the development of regulations to further enhance our ability to deal with difficulties." Yet nursing home operators still do not have to file detailed financial statements with the ministry, nor do they have to post these statements in their nursing home.

Why are we still waiting for these regulations? Will the minister give her commitment that when nursing home operators are finally obliged to file

and post financial statements, they will be required to do so retroactively from the date when the act received royal assent?

Hon. Mrs. Caplan: I would like to use this opportunity to repeat my concern and the concern of this government for the opportunity for senior citizens to live in the community independently for as long as possible. When, however, it is necessary for them to enter an institution, be it a nursing home or an extended care facility, I am concerned that they have quality of care, quality of life and respect as individuals. The dignity of the individual is very important to me.

The amendments to the Nursing Homes Act are significant, and I believe that the bill of rights enables senior citizens to take a more active role in the daily operation of those nursing homes.

Mr. Reville: In the absence of any answer about financial disclosure, maybe I could do a supplementary in this way.

The Ontario Nursing Home Association has brought to the minister's attention its desire to collect about \$300 million more in public money. This comes just at a time when government's own research indicates that more than half the 45,000 residents of nursing homes and homes for the aged would be more appropriately served by community-based, long-term care options. As well, the research shows that the underfunding of homemaking services means that the only alternative for the elderly and disabled is institutionalization, which carries with it its own high personal and economic costs.

Will this minister make a commitment to the House today that instead of giving even more public money to nursing home operators, she will use this opportunity and the money to actively develop a system of nonprofit, community-based care for seniors?

Hon. Mrs. Caplan: In fact, I believe the legislation which was tabled recently in the House, the Independent Health Facilities Act, will give us an opportunity to expand community-based services for seniors and for all the people of this province. Technology has provided us with the opportunity to do far more in the community-based setting, and this government is committed to that in principle. When our new act is passed by this House, I believe we will have a framework to see that expansion become a reality.

Mr. Reville: The government has been singing this song for some time now. In fact, we heard this song from the Premier (Mr. Peterson) in 1985, when he gave a commitment to a moratorium on the expansion of private, for-

profit medicine. That commitment has been broken.

We can now identify \$1.5 billion that this government, through its taxpayers, spends on commercial providers of health care services, including nursing homes, laboratories, drug companies and ambulances. The government derailed the work of the select committee on health, which was dealing with the issue of commercialization. The government still has no policy on the role of commercial providers. That was most recently illustrated by the tabling of the very act the minister mentions, the Independent Health Facilities Act.

Mr. Speaker: Do you have a supplementary?

Mr. Reville: Will the minister give her commitment now to a real moratorium this time on giving more money to the for-profit sector?

1350

Hon. Mrs. Caplan: I think that while the intentions and goals of my critic opposite are similar to mine and are well intended, his view is somewhat simplistic. In fact, I am proud of the record of this government. In the awarding of nursing home contracts, the number of beds awarded to the nonprofit sector is 62 to 66 per cent of all beds awarded. I believe that the nonprofit sector in this province can compete, compete well and come forward with good proposals. I have confidence in them and he should too.

Mr. Reville: To continue this interesting discussion, the battle of rhetoric and reality, with the Minister of Health—

Hon. Mr. Elston: Hear, hear. Your rhetoric, her reality.

Mr. Reville: We shall let the public be the judge of that, former minister.

Mr. Speaker: Your question to the Minister of Health?

Mr. Reville: This time I want to get a little more deeply into the commercial-institutional versus community-based-care dichotomy that the minister loves to talk about but does not like to do much about. Last year the minister told the Ontario Hospital Association, and she will remember this, "...for far too long the Health ministry could just as easily have been known as the ministry of illness, the ministry of treatment or the ministry of—"

Hon. Mrs. Caplan: "Illness."

Mr. Reville: "Illness." Actually, it was "institutions," but the minister has got the little rhyme down.

She then said the ministry had made a commitment to "redirect our efforts away from simply the treatment of illness, and towards the promotion of health and the prevention of disease."

When is the minister going to start putting some proof in this pudding?

Hon. Mrs. Caplan: Again, I am delighted to have the opportunity to talk about what we have done and what we are going to be doing. In the expansion of alternatives, we are looking for innovative and creative approaches. We have \$100 million available through the health innovation fund. As well, we have committed to doubling the number of people served by health service organizations and community health centres.

I believe the legislation I tabled will give us the legislative framework to make sure that we deliver services to people as close to their home as possible, through the provision of community-based services outside of the institutional setting.

Mr. Reville: I love the way the minister talks, but let us take a look at just what the minister did. Last year, to underpin its rhetoric, the government spent \$7 million on community health centres; at the same time, it spent \$5.1 billion on hospitals. To bring that down to numbers we can almost understand, that means for every \$1,000 spent on hospitals the minister is squandering a whole penny on community health centres. Would the minister like to comment on that balance?

Hon. Mrs. Caplan: I certainly would. In fact, I am quite interested in the question from the critic opposite, because it flies in the face of the questioning and the suggestions from the leader of the official opposition some few weeks ago when we discussed the need to plan and to manage the system, to say to our hospitals that we need predictability in budgeting and that we need to work together so we can plan an effective system across this province. What we heard from the Leader of the Opposition (Mr. B. Rae) was a call for open-ended funding of the system.

Clearly, if we have predictability in budgeting, we will have the resources available to use the opportunities presented to us to more evenly balance and focus our resources with the advice of district health councils in the communities as they set priorities for change and expansion. I am proud of the progress we have made. We have a long way to go. I am delighted with the change of heart which is apparent from the opposition and I am pleased to acknowledge that today.

Mr. Reville: Hospitals are under pressure in this province precisely because of the government's failure to put into place community-based alternatives. The government has stated its goal—and the minister has repeated it until we are almost ready to drop—that it wants to double the number of people served by community health centres and health service organizations from two per cent of the population to four per cent of the population over five years.

Will the minister give her commitment today to revise the goal upwards and to provide the necessary funding and community development assistance which she knows is needed so that everyone can benefit from healthy alternatives to institutional medicine?

Hon. Mrs. Caplan: We know that at the present time the Ministry of Health's budget is \$12.7 billion, some one third of the total provincial spending, and that 85 per cent of those resources go to the institutional sector. We know that since 1984, the funding for CHCs has more than doubled. The number of HSOs has doubled and the funding for HSOs has gone from \$20.8 million to \$37.5 million.

We are making progress. The act I have tabled will allow community health centres and health service organizations to enhance and expand the programs they offer. I believe we will continue to make that progress with the support of everyone in this House who has the same goal I do; that is, to provide the best-quality care as close to home as possible for people at an affordable price.

HOSPITAL FUNDING

Mr. Brandt: My question is for the Minister of Health and it relates to the same subject. The minister will recall that some three weeks ago, the hospitals in this province were advised to submit to her a balanced budget for this fiscal year. She is also aware, no doubt, that 96 hospitals have been unable to submit balanced budgets as of this time.

Would the minister indicate what her intentions are, if any, with respect to funding those 96 hospitals which have reported back to her, and how she intends to deal with the problems those hospitals are faced with; namely, the funding of their deficits?

Hon. Mrs. Caplan: As the leader of the third party knows, funding to hospitals has increased significantly over the past few years. In fact, since 1985, the increase for hospital base budgets has been 39 per cent. At this time, we are reviewing the budget requests for next year. We are working with the hospitals on an individual

basis. We expect to be very successful in meeting the needs of the communities of this province, as well as the need of the Treasury to have predictability in hospital budgeting.

Mr. Brandt: That is a very lovely answer to a question I did not ask. The question I asked was with respect to the 96 hospitals in this province which have no knowledge at the moment of what the minister's intentions are with respect to the deficits they are faced with.

I, too, want predictability in budgeting. Let me say that. I do not want open-ended funding for hospitals or any other service in the province. Naturally, one has to administrate those things on a responsible basis. The Ontario Hospital Association has predicted that if, in fact, those hospitals are not provided with any additional funding and if they have to pursue the course of action which will be required in order to offset their deficits, as the minister has requested, there will be some 1,500 beds closed in Ontario and some 1,200 people will be laid off.

I believe the minister will agree, now that we are three months into the fiscal year, that this kind of uncertainty which is presented to the hospitals is something which should be cleared up very quickly.

My question to the minister, which I hope she would respond to, is: What does she intend to do by way of sending a clear signal to these hospitals? Is she going to fund them or is she not going to fund them? If so, by how much?

Hon. Mrs. Caplan: In fact, I think the message has been very clear. Perhaps if the message had been clearer over the years, we would not have the problem we have today. We are working co-operatively with the hospitals on an individual basis. We are working closely with the Ontario Hospital Association, the Ontario Medical Association, the Ontario Nurses' Association and the Registered Nurses' Association of Ontario as well, to find out what the chronic, root causes are of these ongoing deficits.

We believe sufficient resources have been allocated. Where we have found that there is a program we have not adequately funded, we will make that adjustment. Our goal is to get to fair funding for hospitals so that they can provide the services needed within their community.

1400

Mr. Brandt: There is \$115 million to be funded. Let me try, if I might, to get an answer from the minister which will indicate clearly to the hospitals exactly where they stand with respect to a very critical problem for them.

Is the minister saying that she is prepared to fund budget shortfalls where, in fact, they are no fault of the hospital, where no new, unapproved services have been introduced and where that deficit has resulted directly from a demand on service of that particular hospital? In other words, where the demand has gone up and that has resulted in the hospital deficit, is the minister prepared then, in those situations, to fund those particular deficits?

I think the hospitals of this province deserve an answer.

Hon. Mrs. Caplan: I think we have been very clear in our message to the hospitals that we want to work co-operatively with them to achieve budgets which will be satisfactory in providing a level of essential service to their communities.

Where we find that the ministry has not adequately resourced an approved program, we will be making necessary adjustments through discussions with the hospitals. Where we have found that hospitals have acted independently and started programs and added staff without ministry approval, we will expect them to make the necessary adjustments.

TEACHERS' SUPERANNUATION FUND

Mr. Harris: The Treasurer will be aware that teachers have reacted rather angrily to his proposed rate hike in their pension fund contributions, a proposal I have seen referred to as the \$100-million ripoff.

While \$100 million may seem like small potatoes to the Treasurer, whose last budget showed he prefers his ripoffs to be in the billions of dollars, it is a substantial sum. Does the Treasurer think some of the teachers' resistance to his proposal may be based on a concern that the Teachers' Superannuation Commission, like the government, has lost control of its administration expenditures?

Hon. R. F. Nixon: I would hope the House leader for the third party is not so ill-informed that he thinks I am making the proposal that he is referring to. He may recall that in 1975, the then government decided to index teachers' pensions and pay for those pensions with a one per cent increase in government payment, paralleling one per cent from the teachers.

Unfortunately, the most recent review of this, carried out by Laurence Coward, who is a well-respected, independent actuary, has indicated that this indexing, together with the indexing for public servants, is contributing to an actuarial deficit in the indexing account alone of something approaching \$9 billion.

It is Mr. Coward's recommendation that contributions from the taxpayers, as well as from the benefiting teachers and public servants, go up. Certainly, neither I nor the honourable member who is asking the question is indicating that is the best, or the only, solution.

Mr. Harris: For the Treasurer's information, according to the 1987 annual report of the commission, its administration expenditures in that year were nearly 50 per cent higher than in 1986 and increased by over 100 per cent relative to 1985. Over the two-year period, salaries and wages paid at the commission have increased by 53 per cent. Spending on communications consulting services increased 10 times, from \$37,000 to \$362,000.

Can the Treasurer tell us what benefits the teachers of Ontario have realized and enjoyed as a result of these administrative cost increases?

Hon. R. F. Nixon: Fortunately, that question is relatively easy to answer, because if the honourable member had consulted with the teachers, who are his constituents, as they are of every member in this House, he would realize that we have taken some very progressive changes in the Teachers' Superannuation Act and regulations.

As a matter of fact, we have opened a superannuation window which makes available to senior teachers, at the age of 57, full access to the rather substantial pension that has been established over the years. In this way, it has been the policy of the government to give senior teachers an opportunity to retire early on an indexed pension based on their salaries, which have been entered into by mutual agreement, as the honourable member would know, with the school boards across the province.

The administration of this very expensive and very generous change, which we feel has added a good deal to the quality of education, accounts for, in large measure, the increases in expenditure that he refers to. Perhaps I might just add that the actual large increase in expenditure, and I believe it approaches something like half a billion dollars, is in the actuarial commitment for increased pensions.

Mr. Harris: I would point out to the Treasurer as well the fact that over the 1982-to-1985 period, when he occupied a seat on this side of the House—a location to which I am sure taxpayers will hopefully return him at the earliest opportunity—administration spending at the commission increased by less than inflation. We are talking about the administrative costs. During the 1985-to-1987 two-year period, the first few years

of the Dark Ages in this province, certainly as far as fiscal responsibility goes, commission administration expenditures are up 105 per cent. I know there were some relocation costs. If we leave those out, they are still up 66 per cent.

I would like to know how the Treasurer accounts for the difference in the growth rate of the administration costs. Does he think it could be because of his government's lack of discipline in controlling its own administrative expenditures? Now that attitude is spilling over to all the agencies and commissions as well.

Hon. R. F. Nixon: That is not the case. The honourable member would realize that during the bad old Tory years, the teachers' entreaties over those many years for improvements in their superannuation position remained relatively unchanged. One of the reasons that member's government was defeated and ours was elected was that we could take a new and progressive view to providing appropriate service and, if I may say so, efficient use of tax dollars in this important public concern.

Mr. Wildman: Those of us on this side of the House have a little different memory of how that government got into power.

TEMAGAMI DISTRICT RESOURCES

Mr. Wildman: At any rate, I have a question of the Minister of Natural Resources. Mr. Speaker, you will recall that on May 17 the Minister of Natural Resources announced that he was going to appoint a citizens' advisory council that would be in charge of a model management area in the Temagami region to deal with the various competing demands on the resources in that area.

Can the minister confirm that his ministry is having a very difficult time getting anyone to agree to sit on this advisory council? Can he confirm that representatives of the tourist industry, the wilderness groups, the local planning board and also municipalities have all refused to participate?

Hon. Mr. Kerrio: I do not think I would agree with that comment. We were charged with the responsibility of setting up another committee quite like this one under Dr. Daniel. We did that and I think the reports were excellent. I was very pleased that the time frame was kept, that Dr. Daniel reported in time. Because of the sincere interest that this government has in the area the member is talking about, because of various users, we are looking to set up the kind of group that will share the concerns of the area at first hand with the ministry so that we can make, in

fact, what is going to be a model area by putting in the people from that area who would help us decide how the interests of the various users should be taken into account.

Mr. Wildman: I was not asking about Dr. Daniel's group. As a matter of fact, some of the people who have been asked to participate on the advisory council were members of the Daniel committee, and they have refused to participate as far as I am aware.

Can the minister explain how this group is going to start its work on July 1, as he promised, if it has not yet been appointed? Can he also explain why the Teme-Augama Anishnabai continue to demonstrate outside and are not anywhere involved in this process, and why the government has not moved to resolve the land claim, which should be dealt with before we move into this model-management approach?

Hon. Mr. Kerrio: I must share with the member, if he is not aware of the fact, that a very generous offer was made to the natives in that area. This government had taken the initiative, which had not been taken before, of setting up a cabinet committee on native affairs representative of many of the interested ministers, which meets regularly. In fact, \$30 million was offered to the natives. As I say, I am a bit surprised it was not accepted. They chose to go through the court route. The member knows Ontario was supported in the courts. The natives lost the court claim and that is now up for appeal.

1410

I can only tell the member what has transpired without talking about the initiatives, because it is up for appeal. If I were also to suggest that the Ministry of the Attorney General has the responsibility to settle the land claims, that would not deter me from saying to the member that, of course it has been a disappointment that we have not been able to settle with our first citizens. We in this government are doing everything possible to do that very thing and I am hopeful.

The member sees that we settled the poisoning of the river system when that government sat on it for 10 years. It was a great initiative. We have done that. We are looking to settle some of these land claims so we can show the natives that we are indeed prepared to do that as a government that has a feeling about our first citizens.

VAUGHAN GLEN HOSPITAL

Mr. Eves: I have a question of the Minister of Health. Yesterday, the minister said she would make sure the patients of Vaughan Glen Hospital

and their parents would "receive sensitive advice and assistance," yet the whole issue surrounding the closure of Vaughan Glen Hospital seems to be one that is surrounded by secrecy and ambiguity.

After being completely stonewalled by the hospital board, the parents asked the minister if they could get a copy of the hospital's bylaws because the board will not give them any copies. They are supposed to be public documents, but the ministry refused to give them copies of the bylaws. The parents also asked for the names of hospital board members so they could ascertain for themselves whether there is community representation on that board, as is required by the Public Hospitals Act, but the ministry told them it would not do that either.

Strangely enough, the assets of the hospital are some 32 acres of land worth over \$20 million, and they were moved into a numbered company and the ministry will not reveal who the owner of that company is either. I would not refer to this as "sensitive advice and assistance."

Mr. Speaker: And the question?

Mr. Eves: Why will the minister very simply not sit down with the parents, give them some answers to their very real concerns and try to resolve this issue for the benefit of the patients and those people concerned, not just her ministry and some numbered company she will not tell us—

Mr. Speaker: Order; the minister.

Hon. Mrs. Caplan: In fact, I met with a representative of the parents' association and discussed my commitment to make sure that over the next five years the residents of Vaughan Glen are located in a sensitive and responsible way. The commitment has been made to meet and to work with the families to ensure that happens in a way that is acceptable to all the residents. I am not, however, familiar with the requests that have been made, but I will be pleased to look into them.

Mr. Eves: If the minister were truly sensitive to this issue, she would realize that the patients at Vaughan Glen consider it to be their home. The majority of these patients are children who are severely handicapped and they cannot be moved to a group home because they require constant nursing care, as the minister pointed out herself in the House yesterday.

Why is she sanctioning the displacement of these children when there is a hospital there that has assets worth \$20 million? The ministry could rebuild the hospital and leave the patients where

they are in their setting. They are happy there. Their parents are happy. Why will she not do it?

Hon. Mrs. Caplan: I think the critic opposite has acknowledged the fact that the hospital needs to be replaced, that it is old and that it is not one which lends itself to renovation. It does require complete replacement. We have made a decision that the replacement facilities will be located in parts of this province so that people can be located as close to home as possible. We have also said that over the next five years we will work with the families and with the residents to ensure that the transfer to those facilities is sensitive and caring and that the placements will be appropriate.

SEASONAL AND PART-TIME EMPLOYMENT

Mr. Daigeler: My question is to the Minister of Labour. A resident of Nepean who had found a summer job in Toronto was fired last week because he refused to be a scab worker. He had been working in the security department of CFTO and was ordered to move to the station's mail room. This switch would have involved the replacing of locked-out workers. May I ask the minister whether there is any legal protection for summer-job students when they refuse to do scab work and what his advice would be to the young man in question?

Hon. Mr. Sorbara: This is yet another incident arising out of the work stoppage at CFTO.

Mr. D. S. Cooke: It is not a work stoppage.

Hon. Mr. Sorbara: My friend says it is not a work stoppage. He is right; it is a lockout.

Mr. Speaker: Order. Interjections are out of order. I would ask the minister to disregard the interjections.

Hon. Mr. Sorbara: Mr. Speaker, sometimes it is simply difficult to ignore the interjections, but I certainly will abide by your ruling.

I want to say to my friend the member for Nepean that the strike is not governed by the Ontario Labour Relations Act, nor would issues be determined in front of the Ontario Labour Relations Board. Because the matter is telecommunications, it is governed by the federal act, the Canada Labour Code, and the Canada Labour Relations Board. There is an issue there that the individual, as a summer student, may well want to take before the federal labour relations board; that would be the forum where he would seek a remedy.

Mr. Daigeler: I thank the minister for this information, which I will gladly pass on to the student.

Since this case highlights the somewhat tenuous position of seasonal—

Mr. Cousens: You could have asked him in the hall.

Mr. Breagh: You could have told the kid too.

Mr. Daigeler: Thank you—and part-time workers, I would like to ask, as a supplementary, whether the minister has any plans to review the legal rights of seasonal and part-time workers, including their access to general employment benefits.

Hon. Mr. Sorbara: It is a very good question from the member for Nepean. I will tell him we are reviewing in two contexts the very things he refers to: both seasonal workers and agricultural workers under a review of the Ontario Labour Relations Act, and part-time workers under a review of the Employment Standards Act.

There are a lot of issues that have to be covered. A lot of issues have been brought to our attention. As we carry on our review of both of those acts, I am sure the member may have some input that will help us in that review.

LABOUR DISPUTE

Mr. Mackenzie: I have a question for the Minister of Labour. Is the Minister of Labour aware of the illegal lockout of lab technicians, members of Ontario Public Service Employees Union, Local 206 in Hamilton and Local 221 in Simcoe, workers whose high level of commitment and expertise is being rewarded by little better than sweatshop wages by Canadian Medical Laboratories and its owner, Dr. John Mull, of Burlington?

Is the minister aware that this is the same owner who refused to obey the law, an Anti-Inflation Board order to increase wages back in 1982, which required the workers to go through a long court process to force the company to pay what had been ordered to them?

Hon. Mr. Sorbara: I tell my friend the member for Hamilton East that I am not aware of what he calls an illegal lockout. I am glad he has brought it to my attention. I certainly anticipate that he will have something to say about it in the supplementary, but before he does, I simply want to tell him that I will look into it and, from our perspective, do a careful analysis of the situation.

Mr. Charlton: While the minister is looking into the matter, he perhaps would like to take

note that, given the clear pattern of ignoring and undermining the free collective bargaining process, the clear pattern and the record of attempted union-busting, does the minister not believe he should intervene on behalf of these invaluable medical technicians to ensure that the free collective bargaining process proceeds, before it degenerates into a long, bitter battle by one obviously irresponsible, anti-union employer?

Hon. Mr. Sorbara: Obviously, the member knows that right in the preamble of the Labour Relations Act the law speaks about promoting employees' ability to bargain collectively.

When he says "intervene," though, I am not sure what he is suggesting. Certainly, within the industrial relations branch of the ministry, we are available and ready to provide conciliation and mediation assistance when the parties require it.

If, however, we are talking about an allegation that the employer is using tactics that are prohibited under the law, then he knows that the appropriate remedy is to go before the Ontario Labour Relations Board. I do tell him, though, that to the extent that we can be of assistance to mediate the dispute, we certainly will be there. On the other hand, if it is a matter that has allegations in it of unfair labour practices, the appropriate forum is the Ontario Labour Relations Board.

1420

CHILD ABUSE

Mrs. Cunningham: My question is to the Minister of Community and Social Services. According to a current federal government survey, at least one in four girls and one in seven boys are sexually abused. Yesterday, I met with representatives of Save Our Children for Windsor and Essex county, a parent group that is concerned about the lack of support services available to children who are victims of child abuse.

There is a scarcity of both counselling and rehabilitation programs and staff for offenders and victims of this horrendous crime. I contacted the children's aid society in London, which informed me that while the number of abuse investigations is up 100 per cent, there has been only one additional staff member hired. How does the minister plan to remedy this appalling and critical situation?

Hon. Mr. Sweeney: About a year or a year and a half ago now, the ministry contacted the children's aid societies and asked the same question: "How can we be most helpful?" We were advised that if we were to fund a full-time

person at each society across the province who would be involved solely in working with abused children and their families, that would be the most helpful thing we could do, and we have done that.

Mrs. Cunningham: When we contacted the children's aid societies, that was not the information we received. We were informed that counsellors are unable to respond to the needs of victims quickly enough to provide effective treatment. The abused children who require immediate treatment must turn to private clinics, where counsellors charge exorbitant fees for their services; \$45 per hour at three visits a week is more than families can afford.

Will the minister ensure, given what he just stated, that children's aid societies across this province deliver both affordable and high-quality treatment to all these children?

Hon. Mr. Sweeney: The honourable member is aware, I am sure, that is one of the few services offered by our ministry which is mandated. In other words, if a family or child comes before a children's aid society in need, that society is bound to provide that service.

As a matter of fact, one of the funding mechanisms we have in place is to have an exceptional circumstances review at the end of the year when a society comes to us and says it is in a deficit situation because it has provided more mandated services than it anticipated at the beginning of the year when we contracted with it for its budget.

There is no question that any society that has a child in need—and there are criteria for defining what that is—must meet that need. The difficulty that some societies have is in making a professional determination of the length of time they can provide the service.

They quite frankly say to us: "We do it for what we consider to be a reasonable length of time. We get the child out of the crisis situation back to as near normalcy as is possible, given that kind of trauma. From that point on, it is the responsibility of the parents to provide whatever additional services are needed."

ABUSE OF THE ELDERLY

Mr. Chiarelli: My question is for the Minister without Portfolio responsible for senior citizens' affairs. Just as child abuse and wife assault became issues of the past two decades, many feel that the issue of abuse of the elderly is the problem of the 1980s.

As the minister knows, such abuse is often an action of a person in a position of trust, a friend or

family member or care giver, and harm is not simply restricted to physical violence but can oftentimes be financial in nature. A person in a position of trust might steal or withhold money or force a senior to sell property or possessions against his or her will.

Although our government recently introduced legislative changes to protect seniors in our institutions, it is my understanding that Ontario has no comprehensive protection for the elderly who are being abused within their own communities.

Mr. Speaker: The question?

Mr. Chiarelli: Has her ministry been able to assess the extent of this serious social problem and, if so, what solutions is her ministry pursuing to help protect our seniors from such abuse?

Hon. Mrs. Wilson: As with child abuse and spouse abuse, it is necessary that the crime of elder abuse be discussed openly and that public awareness be raised. Therefore, as I visit with groups of seniors and care providers throughout the province, I am very encouraged to find that many groups are discussing the issue of elder abuse and are talking about the initiatives they could undertake at the community level to deal with elder members of their communities who may be suffering from this crime.

One report estimates that 0.3 per cent of our senior citizens are actually victims of abuse, but it is generally felt that figure is low. Interestingly, with all the recent discussion about this topic, we found that there is very little factual information on the topic of elder abuse.

Accordingly, and in following the mandate of the office for senior citizens' affairs, I have established an initiative to co-ordinate a comprehensive response to the problem of elder abuse and I have initiated a plan which will effect several stages of strategic research. In conjunction with the Ministry of Community and Social Services, the Ministry of Health and the Ministry of the Solicitor General, I will be undertaking additional research which will determine the dimensions and the—

Mr. Speaker: Order. Thank you. Supplementary.

Interjections.

Mr. Speaker: Order. Now we are just wasting time.

Mr. Chiarelli: I know that in the city of Toronto a committee has been developed by the municipality to deal with this issue. However, in Ottawa-Carleton and other communities, the public currently has nowhere to turn. Given that

this appears to be a province-wide problem, can the minister tell me what strategies are planned to reduce the occurrence of this terrible crime and can she indicate some kind of a time line when we might expect some government action so that the people in our communities will have some place to turn?

Hon. Mrs. Wilson: Currently, the Ministry of Health is offering programs on counselling and identification with public health units. Emergency departments in hospitals are offering seminars on identification of elder abuse.

We are working very hard to provide support services to families, families who may be under stress as they care for a victim of Alzheimer disease or an elderly person in the family who requires assistance. We are doing that through providing day care programs, and there are several new day care programs in the Ottawa-Carleton area, including an Alzheimer day program.

We are also working on respite care and day care, feeling that if we can remove the stress from families as they care for their elder members, we can provide the type of assistance they require in order to keep their seniors in the home and free from abuse.

Interjections.

Mr. Speaker: Order.

EDUCATION FUNDING

Mr. D. S. Cooke: I have a question for the Minister of Education. It has now been almost three months since many Catholic school boards across this province approved their budgets, set their mill rates and filed with the minister budgets that provided for deficits in contravention of his legislation. I am wondering what the government's position is and what the solution is to this very serious problem for Catholic school boards across the province.

Hon. Mr. Ward: School boards submit their financial statements to the ministry by April 30 of each year. They are reviewed by officials in the school business and finance branch. Those boards that submitted budgets which included deficits will be contacted by officials within the ministry, the budgets will be returned and the boards will be asked to work with ministry officials to eliminate those deficits.

Mr. D. S. Cooke: I would like to ask the minister if he could be a little more precise as to how these deficits are going to be erased when, for example, the Windsor Roman Catholic Separate School Board has budgeted for a

\$3-million deficit. Obviously, the only alternative, if he is not willing to reform school financing along the lines of the Macdonald commission and come through with commercial and industrial assessment for the separate school boards, is that they will have to cut back their staff or send out huge tax increase notices to the taxpayers this year.

Which alternative is the ministry proposing: reform for commercial and industrial assessment, massive cutbacks in service or huge increases in taxes to the Catholic ratepayers across this province?

1430

Hon. Mr. Ward: The member knows full well that the government is giving very careful consideration to the reform of the financing of elementary and secondary education. We will be coming forward with our proposals, hopefully in the not-too-distant future.

The member will also know that the funds are flowed to boards on the basis of rates of grant, which are intended to provide some equity to those boards which do not have the assessment base. He will also know that the boards have some latitude and some flexibility in terms of their expenditures. Frankly, in dealing with those boards which submit budgets with deficits, clearly they have some choices they can make on how to balance their budgets.

RENTAL ACCOMMODATION

Mr. Cousens: I have a question for the Minister of Housing. We have some figures, recently available from the Canada Mortgage and Housing Corp., regarding assisted rental apartment completions in the Metropolitan Toronto area and can now compare the figures for 1986 and 1987.

It turns out that there were 697 fewer units built in 1987 than in 1986. There were 2,257 in 1986 and 1,569 in 1987. At that rate, going down 700 units a year, within three years we will not have any units at all being built in Metro Toronto. That is certainly not a healthy housing scene.

When will the minister be announcing the specifics for starts for nonprofit units in the Metro Toronto area?

Hon. Ms. Hošek: When we made the decision after the budget announcement about the resources we were going to be committing to nonprofit housing all over the province, we made a decision to work with the groups that provide nonprofit housing to come up with a way of delivering that program in a way that suited their needs and took into account the kind of advice

they wanted to give us about working really successfully together. That process is going on right now. As soon as we have completed our discussions with the various nonprofit groups, we will be hearing some announcements about that.

Mr. Cousens: In other words, the minister does not have enough people from Metro Toronto co-operating with her. I sincerely know the people in Metro Toronto are anxious to see this done. It is a nonanswer.

Let's see what the minister has to say about the private rental units which have been built in the last three years. In 1985, there were 1,943 units built in the Toronto area. In 1986, it was down to 1,620 units. In 1987, there were 646 units. Based on the CMHC figures, we have 974 fewer units in 1987 than in 1986. This means, again, that in three years we will have zero units being built in the private sector in the Metro area.

Will the minister not agree that she has failed in creating a trusting working relationship with the private sector and that her policies have had a negative impact on the growth of rental units?

Hon. Ms. Hošek: It seems to me that we are talking about two different things here. In the nonprofit sector, I would like to reassure the member that the federal-provincial program, with which we have been working for quite a while, continues to do the work of building units all over the province and he will be hearing in due course what allocations we will making in that program.

To answer his second question, the figures I have suggest that with private rental starts in this province, there are twice as many this year as there were in 1985. The direction is going in the right way. There is much more being built all over the province and I am very encouraged about that.

MASSEY COMBINES CORP.

Mr. Neumann: My question is directed to the Treasurer and Deputy Premier. The situation in Brantford with respect to Massey Combines Corp. has developed to the point where the receiver has encouraged the dispersal of the assets outside the community. Last week I addressed a letter to the Premier (Mr. Peterson) and the Treasurer with respect to some intervention on behalf of the government to determine whether the proposal of the Park Corp. could be examined with respect to its feasibility prior to the Supreme Court's dealing with the matter. Has this been looked into by the Treasurer or the Premier?

Hon. R. F. Nixon: The Minister of Industry, Trade and Technology (Mr. Kwinter) is not in his place just now, but we have discussed that. I think the honourable member would be aware that everybody would like to keep the rotary combine technology—which was developed first by White Farm Equipment then taken over by Massey—in the Brantford area if possible.

Unfortunately, the member knows what has happened to Massey. It is now in receivership and the court-appointed receiver has recommended that that technology be sold to another corporation that has manufacturing capability, I guess in Cambridge and Guelph as well as in western Canada. The proposal that came from an American corporation did not come to me and, as a matter of fact, I found out about it as a result of a communication from the Canadian Auto Workers. Since that time, I know the Minister of Industry, Trade and Technology has given it some review.

The problem as to what is to be done before the court is that if we were to approach the court with some sort of program to assist the American corporation to keep the technology there, we would once again be financing the building of combines in addition to the \$200 million of public funds that has already gone in in an attempt to keep the manufacturer of combines going in Brantford. We are continuing to consider it in light of that situation.

Mr. Neumann: I recognize all of the history the minister has elaborated on. My request deals with an opportunity, a window of time that we have to examine the Park proposal in more detail to determine whether, in fact, there is some feasibility, as has been suggested by some parties. I recognize that several cabinet ministers are involved in the aftermath of the Massey Combines receivership.

I know that his ministry has taken a lead in many of these areas. What I am asking the Treasurer is whether he could co-ordinate a meeting of the various parties that are interested in this matter to determine whether there is indeed something worth pursuing in terms of the feasibility of maintaining production in our community.

Hon. R. F. Nixon: I will be glad to confer with my colleague the Minister of Industry, Trade and Technology and respond to that particular suggestion.

FOSTER CARE

Mr. Allen: I have a question for the Minister of Community and Social Services on a crisis in

foster care for children at risk in Ontario, of which he is well aware.

He will know that the Ontario Association of Children's Aid Societies in a major study, *The Future of Foster Care*, recently laid out parameters of this whole problem in detail for us, and we know a great deal about foster homes. We know, for example, they have much larger families than average, that they have incomes \$12,000 less than the provincial average and that 50 per cent of the parents have less than a grade 10 education.

But the ministry has been unable to provide me with information as to the social and economic profile of the families from which these children come. The children's aid say he has never asked them for that information. How can he be pretending to prepare a response to the crisis in fostering if he lacks answers to such basic questions as to how many children in care have come from low-income homes?

Hon. Mr. Sweeney: As the member knows, one of the important aspects of the review is to appreciate the differing natures and the differing needs of children who are coming into care through children's aid societies in the last few years. The member knows, for example, that there has been a dramatic decline in the number of children whom children's aid societies in fact are bringing into care; that there has been a corresponding increase in the number of families the children's aid societies are working with directly where the children remain with the family and the society works directly with the family and the children. Consequently, the nature of kids coming into foster care these days is such that they have a different range of needs.

1440

What we are doing with our foster care review is to determine, given the description the honourable member himself just gave, whether the kinds of foster families we are using today and have used for the last few years continue to be appropriate to meet those children's needs or whether there is a better way of meeting those children's needs. Until we know that, we are not in a position to decide whether or not we want to enhance the current program or develop one that is quite different.

Mr. Allen: It is certainly true that the problem is changing. Our society is changing and the children themselves are changing in terms of the backgrounds from which they come. Someone has called them well-trained victims going into families that are not at all well-trained to deal with them.

The minister talks about the decline of children. We do know, though, that the number of families available for fostering has been declining even more rapidly than the children in question. They get only \$13.28 per day, whereas everybody who has done a study of this calculates the range of costs they incur to be between \$18 and \$26 a day. One knows that the funding for the CAS to provide a sufficient number of backup workers to keep the families functional and the children well on track is undermined by low grant levels.

Mr. Speaker: Your question?

Mr. Allen: Most of all, we do not even know, and the minister cannot tell us, what the outcomes of foster care are for children who are in care.

Can the minister tell us in more detail what the nature of his response is going to be to this crisis and when that response will come? Can he tell us, for example, how he can deal with—

Mr. Speaker: Order; three questions are enough.

Hon. Mr. Sweeney: I notice the honourable member has the report on his desk. He will know that the main thrust of that report refers to the needs of the foster families themselves. I do not in any way downplay that. If we are going to get good service from foster families, we have to be concerned about their particular needs. As we have often been told, one can give only what one has himself or herself.

On the other hand, our priority concern is the one he has just mentioned: What is in the best interest of those children and what is it they need most? Therefore, what we are saying is that while the needs of the foster families are important, the special needs of the children are of greater concern to us. What we want to be sure we do is, if we are going to continue to use foster families for the kids with the greatest needs, the most intense needs, given what they have already come through we have to be sure that is appropriate. If it is not, then we have to develop an alternative model to meet the needs of these children.

Mr. Speaker: New question.

Hon. Mr. Sweeney: I remind the honourable member that one of the presenters who came before our committee made that point very clear.

POLICE PURSUITS

Mr. Cureatz: Mr. Speaker, I would like to address my question through you to the Solicitor General. We have a question, and since we had—

Some hon. members: We?

Interjections.

Mr. Cureatz: Well, the Speaker and I have a question.

Since the Solicitor General and I had such an interesting time last week about Sunday shopping, I thought I would carry on the tradition. I would like to ask her if she is familiar with the person who made this statement in these chambers back in 1979, after years and years of debate and requests in this House: when are we "finally going to get a clear and consistent policy, which is understood by all law...officers, that" police chases "are simply not to occur?" Is she familiar with who made that request in these chambers back in 1979?

Hon. Mrs. Smith: The question actually implies a policy, in place, of no chases. The whole question of whether we should have police chases was very thoroughly reviewed by a committee and a report was then submitted. It recommended the discontinuation of pursuits except where there was a known criminal activity involved on the part of the person driving.

However, this report had to be closely re-examined because of the very heavy cost implications of the report. It recommended, for instance, instead of having the power to chase, that there be helicopters everywhere available to pursue the car and keep track of it by air. This, of course, has very heavy financial implications to the province and therefore had to be reviewed.

The other that was very carefully examined was the use of—

Mr. Speaker: Order. That completes the allotted time for oral questions.

CFTO LABOUR DISPUTE

Mr. Reville: On a point of order, Mr. Speaker: I am hopeful you will tell this Legislature that you are prepared to enforce the press gallery's decision that those involved in the CFTO scab effort not be allowed to use the public galleries.

Mr. Speaker: I thank the member for his comment. I would tell the member that this is an administrative matter and I would be glad to discuss it with him at some other time.

TEMAGAMI DISTRICT RESOURCES

Mr. Pope: On a point of order, Mr. Speaker, and I will be brief: The Minister of Natural Resources (Mr. Kerrio), in a reply to a question during this question period, indicated a number of initiatives with respect to the Bear Island

claim: first, that he established a cabinet committee on native affairs; second, that this was the first government to make a generous offer to resolve the dispute; third, that he was in power when a Supreme Court of Ontario decision was made with respect to this claim.

First, the cabinet committee on native affairs existed for 10 years before he came to office—

Mr. Speaker: Order. Would the member take his seat? With respect, I would remind the member for Cochrane South—

Interjections.

Mr. Speaker: Order.

CONDUCT IN SPEAKER'S GALLERY

Mr. Breagh: On a point of order, Mr. Speaker: I would bring to your attention that in the Speaker's gallery there appears to be someone using a telephone. The members will know that members themselves would not be allowed to do such a thing and it strikes me as rather odd that in our gallery, in your full view, there is indeed someone using a telephone.

Mr. Speaker: I would agree with the honourable member 100 per cent and I would ask the Sergeant at Arms to make certain it is not continued.

HOME CARE

Mr. McCague: On a point of order, Mr. Speaker: Yesterday, in reply to a question in the House, the Minister of Community and Social Services (Mr. Sweeney) said I might be aware of the fact that just last week an interministerial report with effect to homemakers' wages was released.

There must have been a mixup in the mail, because in my mailbox today I received a memo to the Liberal caucus, in which it says, "Copies of the report"—the one we just referred to—"and briefing material will be distributed at a caucus this morning."

Maybe you could help me, Mr. Speaker, in that I do not have a copy of the report the minister thinks I should have been aware of two days ago.

Mr. Speaker: The member has a great question there. However, I am sure he will be able to discuss that further with the minister. Try it in the question period.

PETITIONS

TEMAGAMI DISTRICT RESOURCES

Mr. Pouliot: I have a petition addressed: "To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario to support the Teme-Augama Anishnabai in their struggle to preserve the wilderness forests of the Lady Evelyn-Smoothwater region for future generations;

"Further, we ask the government of Ontario to re-examine its decision of May 17, 1988, to allow the expansion of a logging road through this region."

1450

SEXUAL ASSAULT

Mr. D. R. Cooke: I have a petition signed by 3,883 people, addressed to the Lieutenant Governor and the Legislative Assembly of Ontario, begging leave to petition the parliament of Ontario as follows:

"Whereas our civil law as it currently stands defines sexual molestation as assault, and

"Whereas all assault is subject to a four-year statute of limitations;

"We believe no limitation period should apply in cases of intrafamilial and/or incestuous sexual molestation since it takes an indeterminate number of years for the victim to come to know the impact of the molestation.

"Therefore, we petition the Legislature to;

"Introduce legislation that would guarantee victims of intrafamilial and/or incestuous sexual molestation the right to bring civil action against their perpetrators without time limitations."

It is signed by the member for Guelph (Mr. Ferraro) as well as myself.

RETAIL STORE HOURS

Miss Martel: I have a petition addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario, which reads as follows:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We are opposed to open Sunday shopping and want to retain a common pause day in Ontario."

That is signed by some 1,227 residents of the regional municipality of Sudbury. I agree with them, and I have signed my signature as well.

INTRODUCTION OF BILL

MINISTRY OF FINANCIAL INSTITUTIONS ACT

LOI SUR LE MINISTÈRE DES INSTITUTIONS FINANCIÈRES

Hon. R. F. Nixon moved first reading of Bill 163, An Act to establish the Ministry of Financial Institutions.

L'hon. R. F. Nixon propose la première lecture du projet de loi 163, Loi portant création du ministère des Institutions financières.

Motion agreed to.

La motion est adoptée.

ORDERS OF THE DAY

ENVIRONMENT STATUTE LAW AMENDMENT ACT (continued)

Resuming the adjourned debate on the motion for second reading of Bill 148, An Act to amend certain Acts respecting the Environment.

Mrs. Grier: I am pleased to have an opportunity to debate this fairly major bill, to which I am going to have a number of amendments, not all of which I promise to keep straight as I introduce them, but we plan to do our best.

It is an act that has been some time in the birthing, and this is really the first opportunity we have had in this Legislature to discuss environmental issues. The act puts into place some very important principles that go a long way to making the legislation clearer and simpler to understand. I think that is something that we can all support, and let me say at the outset that I do support the legislation, although, as I say, I will have some amendments to move in committee.

The minister says much in his briefing notes and description of the legislation about the fact that it is a housekeeping bill. In fact, what it does is create many of the anomalies that occurred because of the, I suspect, rather rushed and last-minute drafting of the legislation that it seeks to amend. It therefore seems slightly ironic that we are here, in the dying days of a session of the Legislature, dealing with this particular bill and, I hesitate to suggest, perhaps creating drafting anomalies as we do so that will then require succeeding amending legislation; but I have come to realize that is the way this place works.

"Housekeeping" can be interpreted in many ways, and how you do your housekeeping tells a lot about the kind of person that you are. You can keep a very neat, orderly and immaculate house, and sometimes it is the kind of house where the children are afraid to invite their friends to come in and play; or you can keep a very well kept, clean but welcoming house where the citizens or the public or the neighbours are free to drop in, to participate, to play their role in making your house a home or a family place.

It is perhaps that analogy that I hope to incorporate into the bill by way of my amend-

ments, because one of the things that I think needs to happen to this bill is that there be greater opportunities for the citizens of the province to play their part in cleaning up the environment.

The Minister of the Environment (Mr. Bradley) has acknowledged that the statement by the Provincial Auditor that there were 12,000 complaints to his ministry in 1986 indicates a desire on the part of the people of the province to play their role in protecting the environment. If they are to play that role, they have to be given the opportunities, clearly spelled out in legislation, and they have to be given the tools that will enable them to do the job.

I have said that before and so have other members of this House when we talked about my environmental bill of rights. I hope that in adopting this legislation, we can perhaps put into place some of the principles that I know the majority of the members of this Legislature have said they subscribe to, because while this bill improves the minister's ability to enforce the law, it fails to fully enlist on his behalf the citizens who also seek a clean environment.

Therefore, I think it is important that we make sure that the citizens are dealt with fairly when they wish to participate in the process; that they have access to information about how the law is enforced and about how they can seek to ensure that the law is enforced; that they have notice of decisions and opportunities to comment on decisions made by the ministry on their behalf, and, very important, that if the government fails to act to protect the environment, the citizens must be able to move to make sure that the government does act and to make sure that the environment of the province is indeed protected.

Some of the amendments that I will move will deal with the increased ability of people to do that. I welcome the fact that the legislation opens up the powers of entry. I think that is important. We have to recognize that while it is necessary to balance the right of privacy against the public interest, it is also important to have effective regulation, and to do that we have to acknowledge that administrative inspections are important and are quite different from criminal inspections. I think the legislation goes some way to doing that. I welcome the expansion of the opportunities to provide for tickets. I think that is a good way of getting some compliance with the law and one that needs to be expanded.

Having said all that, I am a little concerned that the high-sounding rhetoric and the objectives espoused by the ministry in this legislation may well not be enacted or enforced as effectively as

they might be because of the inability of the ministry to prosecute as many cases as we all feel need to be prosecuted.

In reviewing some of the budgets and the number of prosecutions that have been done by legal services, I notice that the number of prosecutions has increased but the capacity of the ministry to prosecute, as evidenced by the number of legal people on staff, has not increased. If the ministry really means that it wants to see this legislation effective, that it wants to see it enforced, then it is going to have to accompany the legislation by a significant increase in the ability of the legal branch to make the prosecutions and do the job we are calling upon it to do.

I welcome the legislation. I certainly support it in principle. I look forward to the opportunity of debating in committee of the whole a number of amendments to make it more effective.

1500

Ms. Hart: I welcome the remarks of the member for Etobicoke-Lakeshore (Mrs. Grier) and say to her and to the rest of the members of the House that one of the primary goals of these amendments is to make the job of the enforcement branch easier, to clarify the legislation so that everyone understands what the powers for enforcement are. I will not be speaking at length on this because I think we can probably most usefully get on to the next stage of these proceedings.

Mrs. Marland: Madam Speaker, I recognize that I have just gone out of sequence. As the Environment critic for our caucus, I was not aware of the fact that there was an opportunity to make general comments at the time that the bill was before the House for second reading. I wonder if I can have the indulgence of the member who is carrying the bill. Is that possible?

The Acting Speaker (Miss Roberts): Do I have the unanimous consent of the House to allow the member for Mississauga South, who is the critic with respect to Environment, to speak? Is that agreed?

Hon. Mr. Elston: Only if she is kind.

Mr. McClelland: Only if she is nice; she is always kind.

Agreed to.

Mrs. Marland: Thank you. I certainly will pay attention to the direction that has been given to me by the member for Bruce (Mr. Elston), that I may speak as long as I am kind. I hope that in my role as representative for the Environment for

our caucus I would indeed always be fair and kind.

I think there is not a subject discussed and debated in this House that is more important in the long term to every one of us than any subject that pertains to the environment. May I say at the outset that our caucus is pleased to have Bill 148 before the House. Most of the direction of the bill, as we will get into it through the sections and several amendments, will speak for itself and stand on its own merit. There are a few areas that have not been addressed in this bill which I wish might have been, and I will look forward to the Minister of the Environment bringing them forward in some future bill, with further amendments to the act pertaining to the environment.

Certainly, the thrust of the protection of the environment for all of us has to be the greatest responsibility we have. It is the greatest legacy that each one of the elected members in this chamber would hope to leave.

With the advancements that have now been made with technology and knowledge to protect the environment and to remedy what was being done in the past by many parties throughout the world, indeed not just in our province or in our nation but worldwide, the level of awareness about what we, as mankind, do that puts our environment at risk has certainly been elevated. With that elevated awareness, we will look forward to this minister bringing forward future bills with future amendments.

We also look forward very much to the minister re-establishing his select committee on the environment, an all-party committee we had the pleasure of being part of last year. It was a very worthwhile, productive forum meeting to deal with subjects which are not addressed in this bill before us today but which are certainly within the direct responsibility and purview of the minister.

I shall look forward to the process we are now going to take part in, Madam Speaker, and I thank you for the opportunity to make those few comments.

Ms. Hart: Both as a comment and question, perhaps, in reply to the member for Mississauga South, let me say to her and to all the members of the House that this ministry always puts the environment first. This is yet one of the steps in the proceedings to make the enforcement easier, to make sure that our environment is protected for our children and future generations. I, for one, look forward to the co-operation of the two critics from the other parties and would like to get on with making these changes, if we might.

Motion agreed to.

Bill ordered for committee of the whole House.

Hon. Mr. Wrye: If I can secure the unanimous consent of the House, I would ask that the parliamentary assistant be allowed to move to the front row and that staff be allowed to come on the floor of the chamber.

The Acting Speaker: Do I have unanimous consent of the House for the parliamentary assistant to move to a chair in the front row and that a table be made available for her and an assistant?

Agreed to.

House in committee of the whole.

ENVIRONMENT STATUTE LAW AMENDMENT ACT

LOI MODIFIANT DES LOIS CONCERNANT L'ENVIRONNEMENT

Consideration of Bill 148, An Act to amend certain Acts respecting the Environment.

Mr. Chairman: At this particular moment I would like to ask that you list only if there are any questions, comments or amendments and if so, to which sections of the bill. Right now, I will entertain a list only.

Mrs. Grier: Sections 3, 4, 5, 10, 11, 13, 22, 41, 44, 47, 53, 62, 80, 81, 88, 89a, 91, 92—many of them are repetitive—94 and 97.

Ms. Hart: I have amendments to sections 1, 22, 23, 51, 56, 57, 59, 60, 61, 80 and 85a.

Mr. Chairman: Do other members have any sections they want to amend?

Ms. Hart: We have a number of amendments. We are dealing with a short period of time we have had to consider the amendments, so there may be a little scurrying between the critic and myself, for which I apologize. Also, I would ask that if we have votes—I am not sure if there was an agreement to this effect—perhaps we can deal with the votes at the end.

Mr. Chairman: I have received no such advice.

Mrs. Grier: I think there had been some agreement that we would stack our votes and divide at some later stage.

Mr. Chairman: Is there unanimous consent to this?

Agreed to.

1510

Mrs. Marland: Just a question of clarification. Do amendments have to be listed and

announced ahead of time and in the printed form, or do you accept amendments that have not just been placed by numerical order before you?

Mr. Chairman: If you will give me one second, I will consult with the Clerk.

It would be preferable if you could give us right now a list of the sections to which you would like to bring amendments, but we would obviously like to get them in a written format, either written down or typed. Do you have any? Were you planning to make some?

Mrs. Marland: I do not have them before me at this time, Mr. Chairman.

Mr. Chairman: Will you be getting them later on?

Mrs. Marland: I may be, Mr. Chairman.

Mr. Chairman: You may be; it is not definite, though. I guess we can proceed right now and, as you get them, we shall deal with them.

Ms. Hart: Section 1 is the definitions section. It has a bearing, I believe, on other sections. We may want to leave that until the end. I would move that it be dealt with at the end of the bill.

Mr. Chairman: You want to deal with section 1 at the end of the bill?

Ms. Hart: Yes.

Mr. Chairman: Do we have unanimous consent for this?

Agreed to.

Mr. Chairman: Section 1 shall be deferred until the end of the bill, when we finish seeing the rest of the material.

Section 2 agreed to.

Section 3:

Mrs. Grier: I move that section 3 of the bill be amended by adding thereto the following subsection:

“(2) The said section 6 is further amended by adding thereto the following subsection:

“(2) The director shall give notice of the control order to every municipality in which the contaminant is discharged and to the public in such manner as the director considers appropriate.”

Mr. Chairman: Those are not the same words that I have here.

Mrs. Grier: What has changed, I suspect, is that the one you have says “in or into.”

Mr. Chairman: No. There are many more words that are different. What I received here as the latest copy is exactly identical to what I have had here.

Read that revised motion again, please.

Mrs. Grier: I move that section 3 of the bill be amended by adding thereto the following subsection:

“(2) The said section 6 is further amended by adding thereto the following subsection:

“(2) The director shall give notice of the control order to every municipality in which the contaminant is discharged and to the public in such manner as the director considers appropriate.”

Mr. Chairman: I have, more precisely, “The director shall give notice of the control order to every municipality in or into which the contaminant is discharged.” Is that the one you have?

Mrs. Grier: The amendment as drafted had said “or into.” I understood from the parliamentary assistant that the amendment was acceptable to the ministry if I deleted the words “or into.” I am sorry; that perhaps did not occur on the copy you have. But I would like to move the subsection without reference to the words “or into.”

Mr. Chairman: If you do not mind, I shall read it again myself.

Mrs. Grier moves that section 3 of the bill be amended by adding thereto the following subsection:

“(2) The said section 6 is further amended by adding thereto the following subsection:

“(2) The director shall give notice of the control order to every municipality in which the contaminant is discharged and to the public in such manner as the director considers appropriate.”

Mrs. Grier: The objective of this amendment is very clear, I think, from the wording. It is so that there shall be public notice given of the decisions of the ministry. It is at the discretion of the director; so it does not require major public advertisement all across the province, but it does provide that in the instance where a community group perhaps has been instrumental in having the order or matter that is being addressed brought to the attention of the ministry, that group would also be given notice of the decisions of the ministry in that respect. Therefore, it is part of the approach of bringing the public into the process and opening up the process to citizens who are concerned.

Ms. Hart: We are content with the amendment as it has been read. In fact, it reflects the ministry's policy as it exists and is a good amendment.

Motion agreed to.

Section 3, as amended, agreed to.

Section 4:

Mr. Grier: I move that section 4 of the bill be amended by adding thereto the following subsection:

“(2) The said section 7 is further amended by adding thereto the following subsection:

“(2) The director shall give notice of the stop order to every municipality in which the contaminant is discharged and to the public in such manner as the director considers appropriate.”

Mrs. Grier: The intention of this amendment is similar to the previous one.

Mr. Chairman: I have the old version where you still have the words “or into.” I shall remove these two words.

Mrs. Grier has moved that section 4 of the bill be amended by adding thereto the following subsection:

“(2) The said section 7 is further amended by adding thereto the following subsection:

“(2) The director shall give notice of the stop order to every municipality in which the contaminant is discharged and to the public in such manner as the director considers appropriate.”

Mrs. Grier: I think the purpose of the amendment is self-evident and is similar to the previous one.

Ms. Hart: The amendment is acceptable.

Motion agreed to.

Section 4, as amended, agreed to.

Section 5:

Mrs. Grier: I move that subsection 5(4) of the bill be amended by adding thereto the following, as subsections to section 8 of the Environmental Protection Act:

“(8) Before issuing or refusing to issue a certificate of approval referred to in subsection 8(1), the director may, by a notice in writing, require the Environmental Assessment Board to hold a hearing.

“(9) Where a hearing is to be held, the Environmental Assessment Board shall give at least 15 days notice of the hearing to,

“(a) the applicant for the certificate of approval;

“(b) every municipality in which a contaminant may be discharged as a result of an action referred to in clause (1)(a) or (b); and

“(c) the public in such manner as the Environmental Assessment Board considers appropriate.

“(10) Sections 33 and 33a apply with necessary modifications to a hearing under this section.”

Mr. Chairman: I would like to advise the members we are getting the new version of the amendment. Rather than have a dispense, once I read it, I shall read it completely and you will follow with whatever you have to make sure we have the very same version.

1520

Mrs. Grier has moved that subsection 5(4) of the bill be amended by adding thereto the following, as subsections to section 8 of the Environmental Protection Act:

“(8) Before issuing or refusing to issue a certificate of approval referred to in subsection 8(1), the director may, by a notice in writing, require the Environmental Assessment Board to hold a hearing.

“(9) Where a hearing is to be held, the Environmental Assessment Board shall give at least 15 days notice of the hearing to,

“(a) the applicant for the certificate of approval;

“(b) every municipality in or into which a contaminant may be discharged as a result of an action referred to in clause (1)(a) or (b); and

“(c) the public in such manner as the Environmental Assessment Board considers appropriate.

“(10) Sections 33 and 33a apply with necessary modifications to a hearing under this section.”

Is that exactly as you have?

Mrs. Grier: Yes.

Mr. Chairman: Would the member for Etobicoke-Lakeshore care to comment?

Mrs. Grier: This refers to the section of the act that deals with certificates of approval. Certificates of approval are frequently used by the ministry in enforcing the legislation. In the legislation as it now stands, there is no provision for any public notice of the fact that a certificate of approval has been issued. The amendments I have placed open up the process a little bit, and I think it is important to point out that I have used the word “may” in the section relating to a hearing.

It is at the discretion of the director to require the Environmental Assessment Board to hold a hearing, and where a hearing is held, the Environmental Assessment Board shall give notice of that hearing. Again, as I say, I think it is opening up the process and I hope it will also have the support of the parliamentary assistant.

Ms. Hart: This amendment cannot be accepted. It has a number of potentially significant implications for workload. It is true that the

wording is permissive, rather than mandatory, but we have not had an opportunity to consult with affected parties or to determine what would be the financial implications of the potential workload increase, so this amendment is not acceptable.

Mrs. Marland: This amendment is a very important amendment and it is a little disappointing to hear the parliamentary assistant discuss the cost factor of having this amendment go through. I would have thought that with the kind of commitment we need to the protection of the environment, the cost factor is not the primary measurement for whether or not an environmental assessment hearing is held. I would think environmental assessment hearings and full public notice would be the direction in which any government would want to go.

Obviously, if a certificate of approval is being issued or being refused, the public has a right to know. It is the public's environment, not one party's environment, not one government's environment. As it says, it is not mandatory; it does say "may." It still gives the government the final flexibility, but at least it gives some direction that we hope might be followed in the case of this legislation by a director. It is disappointing to measure the future direction of the preservation of the environment by a pure cost factor. If that were the case, there probably are a whole lot of measures in place today to protect the environment that would never be there had they been measured purely by the cost of having those measures in place.

I see this as a very important amendment, a very worthwhile amendment and one which the public at large would hope that its government would have passed.

Mr. Chairman: Do other members wish to comment? If not, before I move it, I would like the record to show that when I read the motion in subsection 8(9)(b), I also read into the record "or into," and I believe that your version does not have the words, "or into." Is that correct?

Mrs. Grier: That is right.

Mrs. Grier moves that subsection 5(4) of the bill be amended by adding thereto the following, as subsections to section 8 of the Environmental Protection Act:

"(8) Before issuing or refusing to issue a certificate of approval referred to in subsection 8(1), the director may, by a notice in writing, require the Environmental Assessment Board to hold a hearing.

"(9) where a hearing is to be held, the Environmental Assessment Board shall give at least 15 days' notice of the hearing to,

"(a) the applicant for the certificate of approval;

"(b) every municipality in or into which a contaminant may be discharged as a result of an action referred to in clause (1)(a) or (b); and

"(c) the public in such manner as the Environmental Assessment Board considers appropriate.

"(10) Sections 33 and 33a apply with necessary modifications to a hearing under this section.

Is it the pleasure of the committee that the motion carry? All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Vote stacked.

Sections 6 to 9, inclusive, agreed to.

Section 10:

Mr. Chairman: Mrs. Grier moves that subsection 13(1) of the Environmental Protection Act, as set out in section 10 of the bill, be amended by striking out "or is likely to cause" in the fourth line and inserting in lieu thereof "may cause, contributes to causing or may contribute to causing."

Mrs. Grier: My purpose in moving this amendment is to clarify before the courts what is the definition of "pollution." The words "is likely to cause" are open to a great deal of argument and are very difficult to prove. If you emit oil into the water, is it likely to cause harm to fish? In order to prove that point before the courts, you have to demonstrate how many fish, what the volume of water was and what the volume of the contaminant was.

Quite frankly, I think the reason we have not been able to enforce our pollution laws adequately has been largely the difficulty of proving that something we all know is a contaminant is, in fact, likely to cause what the courts may attribute as harm or damage. Therefore, my amendment clarifies by saying "may cause, contributes to causing or may contribute to causing."

It will give us, I think, increased cause for prosecution. It will clarify before the courts what is causing damage. It will take into account that it is not the volume of the body of water or the air into which the discharge is going that determines whether or not it will cause pollution or damage but the nature of the contaminant.

It will also take into account the synergistic effects of perhaps a number of different emissions at different times or in different quantities into the atmosphere or water. Therefore, I think it

contributes to strengthening and making clearer the provisions of the act. I certainly think it would be an improvement to the existing wording.

Ms. Hart: We cannot accept the amendment, although it may be that at some time in the future it is something we will bring into law. Unfortunately, in thinking about it in the brief time we had, we began to appreciate that it has quite a few ramifications for other ministries, particularly the Ministry of the Attorney General, that we would like to think through a little more carefully. There are also ramifications for other parties, such as municipalities, and we should have an opportunity to consult with those parties. So this is not the appropriate time to accept this amendment.

1530

M. Pouliot: Monsieur le Président, en attendant que les nombreux sièges de l'Assemblée législative se remplissent assez rapidement, j'aimerais me prononcer sur l'amendement proposé par ma collègue et très chère amie.

Ce qu'on nous a dit simplement, c'est que ce qu'on propose présenterait à la Chambre un véhicule, un mécanisme qui rendrait le fonctionnement du projet de loi plus efficace. Plus efficace parce qu'il nous donnerait les outils pour aller au fond du problème. Si plusieurs amendements ont été présentés et le seront dans un avenir rapproché, j'aimerais attirer l'attention de la Chambre sur celui-ci puisque celui-ci, plus que tout autre amendement, touche au cœur du problème qui nous est présenté.

Je comprends très bien quand l'adjointe parlementaire nous dit: «Pas maintenant», mais en principe ça voudrait dire oui. Mais peut-être que dans l'avenir, on devra se pencher sur l'amendement qui a été proposé par ma collègue.

Écoutez, il y a peut-être quelques minutes, Monsieur le Président, une heure tout au plus, cette même personne nous disait: «Chez nous, avec la majorité qui nous entoure – mais ça, elle ne l'a pas dit – l'environnement passe avant tout». Écoutez, il s'agit d'être sincère. Moi, je l'ai crue. À chaque mot qui se disait, je me disais: «Tiens, c'est ça».

On parle justement de la nature, d'aller au cœur du problème et d'offrir encore une fois un véhicule ou un mécanisme. Cela vient d'être fait. Maintenant, c'est à elle de répondre positivement à ce qui est tout à fait normal pour le bon fonctionnement de la législation.

Je suis certain, Monsieur le Président, en terminant, que ma bonne amie conservatrice, qui

semble être très bien préparée, comme elle l'est toujours, voudra s'exprimer peut-être plus longuement sur l'amendement qui a été proposé.

Mrs. Marland: I do not understand the parliamentary assistant's concern, on behalf of her minister, with the word "may." As a matter of fact, I think if they had done their research, they would have discovered that the word "may" was in the original Environmental Protection Act and also is in the federal Environmental Protection Act.

I wonder why there is so much concern with having it in our own Ontario statute. It is not overly powerful; it is not in its citing—as the parliamentary assistant said, she felt that the Attorney General may have some concern with it.

I think anything that clarifies provincial statutes makes those statutes more workable, and it is our responsibility to pass legislation not just for the sake of words, but for the sake of a workable process. If the statute is more workable because it is clear, then if it is clarified, I think the parliamentary assistant would want to have the use of "may" there.

Mr. Chairman: Is it the pleasure of the committee that the motion carry?

Interjections.

Mr. Chairman: All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Vote stacked.

Mr. Chairman: To clarify as to when the vote will take place, is it understood that the vote on any stacked sections of the bill will take place at 5:45 today? Is that correct? We had not specified that before. The vote will be stacked to 5:45.

Mrs. Grier moves that section 13 of the Environmental Protection Act, as set out in section 10 of the bill, be amended by adding thereto the following subsections:

"(3) Any person may commence an action in the Supreme Court of Ontario for a contravention of subsection 1 without having to show any greater or different right, harm or interest than that of other members of the public or any pecuniary or proprietary right or interest in the subject matter of the proceedings against,

"(a) any person who has contravened subsection 1; and

"(b) any minister responsible for regulatory, fiscal or proprietary control of the activity that resulted in or contributed to the discharge.

"(4) Subsection 3 applies without any requirement that the person commencing the action allege or establish that there had been an infringement of an approval, permit, licence, standard, regulation, rule or order established by or under this act, the Ontario Water Resources Act or the Pesticides Act.

"(5) In an action commenced under subsection 3, where it has been established that the activity of the defendant has caused or contributed to causing an adverse effect, the court may grant either an interim or permanent injunction, order the defendant to remedy any damage caused by the activity, award damages, impose conditions on the defendant or make such other order as the court may consider necessary."

Mrs. Grier: Let me say at the outset how glad I am that the member for Bruce (Mr. Elston) is in the House at this point, because I am quite sure he will recognize the wording of the sections that I have moved as an amendment. They are taken from an environmental bill of rights which was first drafted by, I think, the honourable Stuart Smith some time ago, revised by other members, such as the member for Beaches-Woodbine (Ms. Bryden), and then put into cogent and cohesive form by the member for Bruce.

When I came to this place in 1985, I was moved to plagiarize the legislation that had been submitted for first reading by the member for Bruce and turn it into an environmental bill of rights, which has since had second reading in this session and in the previous session.

In that second reading, there was support from members on all sides of the House for the principle that the old issue of standing ought no longer to be an issue in the protection of the environment, support for the principle that a citizen who feels that the minister, the ministry, his opposition critic or whoever is not doing enough to protect the environment can therefore commence a prosecution. The current situation is that if you wish to commence such a prosecution, you have to prove damage to yourself or to your property. What this amendment does is remove that section of the Environmental Protection Act and place, in fact, citizens' rights, to make them full and equal partners in the battle to clean up our environment.

This is not, as I have said, a new issue. It is one that was widely canvassed by all of the environmental groups before both the 1985 election and the 1987 election. It is interesting to review the questionnaires that were returned by all members of this House, or most of them, prior to both elections. In the one prior to the 1987 election,

the vast majority of the members who were subsequently elected to the government side of the House supported the principle of an environmental bill of rights.

When we then had the debate on second reading of my private member's bill, I was very interested that the parliamentary assistant and other members of the government supported the principle of an environmental bill of rights, thought it was a very good idea—it had, after all, been one which their own esteemed member had espoused—but they felt that a private member's bill was not the way to go, that special legislation was not the way to go, that it would be much more appropriate to amend all of the statutes which referred to the environment and put it in place at that time. That time is today.

1540

We have before us a major piece of legislation, a major housekeeping, cleaning up, removal of anomalies, strengthening of the Environmental Protection Act, the Ontario Water Resources Act, the Pesticides Act. We have a window of opportunity to amend this legislation, a window of opportunity which is not likely to occur again, because we all know, despite the best intentions of the government, how infrequently the environment is debated in this Legislature, how infrequently we have an opportunity to say from all sides that we support strengthening the legislation.

Who knows how long it may be before we have an opportunity once again to enshrine in the environmental legislation of this province the rights of the citizens of this province to play a full part in protecting the environment of the province? That is what this amendment does and I look forward to its receiving in this forum the wide support it has received on the hustings and in private members' hour.

Ms. Hart: I appreciate the member's bringing to our attention the fact that this—in fact, it is almost the exact wording—was voted on previously in this session. As I understand the standing orders, that may give us some difficulty in voting on it now.

Be that as it may, I spoke in that debate and I recall raising a concern which I am about to raise again; that is, that this part of the private member's bill changes the whole common law of negligence. Negligence throughout the common-law world requires damage before a suit can be based upon it. This section, a very substantive amendment, has come in the course of these amendments in the last few days. It has not been widely consulted. At the very minimum, for the

court administrators, this could result in a great deal more litigation which would obviously require more court time, more judges, more personnel. There are significant ramifications of this amendment, and for those reasons it is not acceptable.

Mrs. Grier: I would point out to the parliamentary assistant that in subsection 10(5) of my amendment it clearly states, "In an action commenced under subsection 3, where it has been established that the activity of the defendant has caused or contributed to causing an adverse effect, the court may grant either an interim or permanent injunction, order the defendant to remedy any damage caused by the activity, award damages, impose conditions...."

It seems to me that the whole intent of the amendment and of the environmental bill of rights is to take effect when it has been established that damage has been caused. The difference is: To whom was the damage caused? Was it caused to the person commencing the action or to some other party?

I think the fact that we may be changing the law on negligence is perhaps an asset. If the law on negligence is not working to protect the environment, surely it is our mandate to protect the environment. Let's change the law on negligence.

Mr. Chairman: Is it the pleasure of the committee that Mrs. Grier's amendment carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Vote stacked.

Mr. Chairman: Are there any amendments to section 11?

Mrs. Grier: I dispense with that motion. I have no problems with section 11.

Many of the motions that follow are similar to the ones for which we have established the lack of willingness of the government to support my amendments. I therefore see no reason to prolong the afternoon by calling for debates on each and every one of them. Perhaps we can go through and then sort out those which are repetitious, because we are dealing with three different pieces of legislation, or those which establish a new right for the public. I think the section 11 one can be dispensed with.

Sections 11 and 12 agreed to.

Section 13:

Mrs. Grier: I think the first amendment I have to section 13 is a repetition of the "may result" as

opposed to "is likely to result," so I will not move that one. I would like to move the second amendment, which is to subsection 13(3).

Mr. Chairman: Mrs. Grier moves that section 13 of the bill be amended by adding thereto the following subsection:

"(3) Section 17 of the said act, as re-enacted by the Statutes of Ontario, 1983, chapter 52, section 6, is amended by adding thereto the following subsection:

"(3) The director shall make all reports submitted pursuant to an order under subsection 1 available for public inspection at reasonable times."

We have reviewed the member's motion and we have had to rule it out of order because it is amending something that is not proposed to be amended in the original act before us.

Mrs. Grier: Mr. Chairman, section 13 of the act is amended by section 10 of Bill 148. No, I am sorry. I am wrong; you are right. It is section 17. I am sorry.

Mr. Chairman: That is right. Subsection 17(1) is being amended. What you are proposing to do is add some more to it. If there is unanimous consent of the House at this moment, we can deal with yours right now, but if there is not, we cannot.

Mrs. Grier: I will seek unanimous consent of the House, because what I am doing is merely ordering a document be open for public inspection.

Mr. Chairman: Is there unanimous consent to deal with this motion at this moment by the member for Etobicoke-Lakeshore?

Agreed to.

Mrs. Grier: As I have said, the intent of this amendment is merely to ensure that not only the polluter but also the public have available the information that will enable them to follow closely what the ministry is doing and to monitor the actions that are taken. My amendment merely allows that it be available for public inspection at reasonable times, and I would submit that is a reasonable amendment.

Ms. Hart: This amendment will not be accepted because it is already covered by the Freedom of Information and Protection of Privacy Act, and it is already covered by the ministry's own policy.

Mrs. Marland: To give the answer that it is already covered by the freedom-of-information act might perhaps have had some relevance two or three months ago, but recently one of my colleagues, the member for Carleton (Mr.

Sterling), sought information from another minister under the freedom-of-information act. The information he required amounted to a bill in excess of \$700. While we have the Freedom of Information and Protection of Privacy Act, and one would think that the access to information from any of the government ministries was a privilege for members, we have yet to see that resolved. The absurdity of any member of this Legislature having to pay any amount of money, let alone something as substantial as \$700, is an indication that if the freedom-of-information act does not work for members of the Legislature, I pity the poor member of the public who wishes to seek access to information. I think the necessity to have this amendment speaks for itself.

1550

Mr. Chairman: Do any other members wish to comment? Are we ready to vote?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Vote stacked.

Sections 14 to 21, inclusive, agreed to.

On section 22:

Mr. Chairman: The parliamentary assistant has an amendment to section 22.

Ms. Hart moves that subsection 33(1) of the Environmental Protection Act, as set out in section 22 of the bill, be amended by striking out "or 32" in the second line and inserting in lieu thereof "32 or 35".

Ms. Hart: This is because of a subsequent amendment. It just brings the act into conformity.

Motion agreed to.

Mrs. Grier: I have a further amendment.

Mrs. Grier moves that subsections 33(5) and (6) of the Environmental Protection Act, as set out in section 22 of the bill, be struck out and the following substituted therefor:

"(5) The Environmental Assessment Board may award costs at any time during a hearing before it and upon the conclusion of the hearing.

"(6) The Environmental Assessment Board may order by whom, when and to whom costs are to be paid.

Mrs. Grier: The legislation provides that the Environmental Assessment Board may award costs at a hearing before it. That is certainly welcome and something that we support. The problem is that many hearings go on for a very long time. Many individuals and citizens groups do not have the wherewithal to sustain those

hearings without having some interim funding. The purpose of my amendment is really to add the word "when," as is in the last line of the amendment, "The Environmental Assessment Board may order by whom, when and to whom the costs are to be paid," the intent being that on application of the parties, the board has the discretion to award interim costs if it should see fit.

Ms. Hart: This amendment is not acceptable. As the members of the House know, the Attorney General (Mr. Scott) and the cabinet are considering a policy for intervenor funding. It comes very close to that when you are talking about interim awards of costs, and the amendment is premature.

Mrs. Marland: I really think that if the government is serious and sincere in giving true public access and opportunity to take part in these hearings in a realistic way, and it is seriously considering an extension of intervenor funding, then there is no reason on earth why it cannot support this amendment. All this is saying is that it can be done at any time. What point is there if a group or an individual can make only partial representation at a hearing because of the duration of the hearing or an interruption of the hearing or whatever the circumstances are that make it impossible for those individuals or that individual to continue the representation? It is like saying somebody is a little bit pregnant, I suppose.

The point is that either one can do something wholly and successfully or one might as well not be doing it at all. If we are talking about finances being an impediment to the public having, either individually or collectively, input into this whole process, then if costs were going to be awarded, why would it matter when? It does not necessarily mean that the costs are going to be any higher; it is just going to make the whole opportunity more realistic.

Mr. Chairman: All those in favour will please say "aye."

All those opposed will please say "nay".

In my opinion the nays have it.

Vote stacked.

Mr. Chairman: Mrs. Grier moves that clauses 33a(1)(a) and (b) of the Environmental Protection Act, as set out in section 22 of the bill, be struck out and the following substituted therefor:

"(a) on a question of law or mixed fact and law, to the Divisional Court;

“(b) on all other questions, to the Lieutenant Governor in Council.”

Mrs. Grier: For the purposes of those who have forgotten the act since they read it when it was first introduced, let me explain that the act provides for an appeal to the Divisional Court or to the cabinet—to the Divisional Court on a question of law and to the cabinet on questions of fact; read politics.

The intent of my amendment is to provide that where it is a question of mixed fact and law, the option should be there of going to the Divisional Court. That is what is said in clause (a) of my amendment.

Ms. Hart: I have appeared before the Divisional Court on many different statutes and I just cannot think of a single one that deals with the question of mixed fact and law. The Divisional Court is a statutory court. It deals with appeals under statutes on questions of law and jurisdiction. This would be a very great departure and, for that reason, the amendment is not acceptable.

Mr. Chairman: All those in favour will please say “aye”.

All those opposed will please say “nay.”

In my opinion the nays have it.

Motion negatived.

Section 23:

Mr. Chairman: Ms. Hart moves that section 23 of the bill be struck out and the following substituted therefor:

“23. (1) Subsection 35(1) of the said act is amended by striking out ‘minister’ in the third line and inserting in lieu thereof ‘director.’

“(2) Subsection 35(2) of the said act is repealed and the following substituted therefor:

“(2) Upon receipt of notice from the director, the Environmental Assessment Board shall hold a public hearing with respect to the subject matter of the notice.

“(3) Subsection 35(4) of the said act is repealed.

“(4) Subsection 35(5) of the said act is amended by striking out ‘minister’ in the first line and inserting in lieu thereof ‘director.’

1600

“(5) Subsection 35(6) of the said act is repealed and the following substituted therefor:

“(6) The Environmental Assessment Board may order that the bylaw referred to in subsection (1) does not apply to the proposed waste disposal site and the bylaw shall thereupon be deemed not to apply thereto.”

We have a problem with that. We have to rule it out of order. If I may read from Beauchesne, it says, “An amendment may not amend sections of the original act unless they are specifically being amended in a clause of the bill before the committee.”

If I look at section 23 of the bill, it says “Subsection 35(4) of the said act is repealed.” Therefore, it only concerns subsection 35(4), and the parliamentary assistant has tried to bring forward many other things. We can deal with this and go forward with this if we have unanimous consent.

Ms. Hart: Might I ask for unanimous consent, Mr. Chairman?

Agreed to.

Ms. Hart: This was a drafting oversight in the original bill. It merely brings all three acts into conformity so that the board is carrying out the same functions for all three acts.

Motion agreed to.

Section 23, as amended, agreed to.

Sections 24 to 40, inclusive, agreed to.

Section 41:

Mrs. Grier: I move that subsection 41(2) of the bill be struck out and the following substituted therefor:

“(2) Section 121 of the said act is amended by adding thereto the following subsections:

“(3) When the director does anything referred to in clause (1)(b), (2)(b), (c) or (d), the director shall give written notice together with written reasons therefor to the municipality in which the subject matter of the notice is located and to the public in such manner as the director considers appropriate.

“(4) Any person may, by written notice served upon the director and the board within 15 days after the service of the notice referred to under subsection (3), require a hearing by the board.

“(5) Subsections (1), (2) and (3) do not apply with respect to a decision of the Environmental Assessment Board that is implemented by the director in accordance with subsection 33(4).”

Mr. Chairman: My wording is a bit different cosmetically from yours, even though mine says “Revised NDP motion” here. For example, in subsection (4), “Any person may, by written notice served upon the director and the board within 15 days after the giving of the notice referred to in subsection (3)...”

Mrs. Grier: Your version is the correct version. I am sorry, Mr. Chairman. There have

been so many amendments to this. Your version is the correct version.

Mr. Chairman: Thank you. In that case, as it is different, I shall read it completely without dispensing.

Mrs. Grier moves that subsection 41(2) of the bill be struck out and the following substituted therefor:

“(2) Section 121 of the said act is amended by adding thereto the following subsections:

“(3) When the director does anything referred to in clause 1(b), 2(b), (c) or (d), the director shall give written notice together with written reasons therefor to the municipality in which the subject matter of the notice is located and to the public in such manner as the director considers appropriate.

“(4) Any person may, by written notice served upon the director and the board within 15 days after the giving of the notice referred to in subsection (3), require a hearing by the board.

“(5) Subsections (1), (2) and (3) do not apply with respect to a decision of the Environmental Assessment Board that is implemented by the director in accordance with subsection 33(4).”

Mrs. Grier: Under the act as it is now proposed to be, notice has to be served on the applicant or the holder of an approval. The intent of this motion is to make sure that the municipality and the public are also advised of the decision. Again, it is an opening up and an involvement of the public in the operations of the Ministry of the Environment.

Ms. Hart: The thought in this one is a good one, but we cannot accept it for this reason. The director must retain some discretion about the notice. Very often notice is given, but there are thousands of approvals given every single year, some for very minor matters, and so it is felt there must be some discretion by the director to decide what merits public notice and what does not. Also, there is a potential for a very great increase in the number of appeals. For those reasons, the amendment is not acceptable.

Mrs. Marland: I think this amendment is asking only that the municipality be notified; so I do not see that it does involve a whole lot of additional notification. It is not asking even that the ministry advertise, which I recognize would be expensive; it is asking for a 37-cent stamp—that is what it is asking for—and it is asking that the clerk of the municipality be notified.

It is then putting the onus on the municipality to decide whether it feels it is minor in nature, as the parliamentary assistant has said. Certainly, the member for Etobicoke-Lakeshore (Mrs.

Grier) and I recognize that a great number of notices might be involved if every single person within a given area had to be notified of an approval. We are not asking for very much in this amendment, but simply that the clerk of the municipality be notified.

Obviously, every application is going to be within one municipality; so I cannot see why something that is almost a simple housekeeping matter, as this is—the argument that it may leave the process open to a larger number of appeals is an argument I fail to recognize.

Mr. Chairman: All those in favour of Mrs. Grier's amendment will please say “aye.”

All those opposed will please say “nay.”

In my opinion the nays have it.

Motion negatived.

Mr. Chairman: Mrs. Grier moves that the bill be amended by adding thereto the following section:

“41a. Section 122 of the said act, as amended by the Statutes of Ontario, 1983, chapter 52, section 17, is further amended by adding thereto the following subsection:

“(1a) Any person may, by written notice served upon the director and the board within 15 days after the giving of the notice referred to in subsection 6(2) or 7(2), require a hearing by the board.”

Mr. Chairman: There again, we regret to have to declare this out of order because section 41 implies adding only clause (d). What you are proposing is doing something different again. So there again, I shall ask to have the indulgence of the House, unanimous support to deal with this. Do you want to seek this?

Mrs. Grier: I suspect it is not going to have support; so I will not bother seeking it in that case.

Mr. Chairman: Are there any other amendments to section 41?

Mrs. Grier: Yes, Mr. Chairman, section 41b, which is an amendment that is before you, the long one on the Environmental Appeal Board.

Mr. Chairman: May I describe to you that there again, you are proposing to amend section 123, which is not concerned whatsoever by section 41. There again we drop it.

Are there any more amendments to section 41? Shall sections 42 and 43 carry?

Sections 42 and 43 agreed to.

Section 44:

Mrs. Grier: In view of the position being taken by the ministry, I will withdraw that amendment.

Section 44 agreed to.

Sections 45 and 46 agreed to.

1610

Section 47:

Mr. Chairman: Mrs. Grier moves that section 145a of the Environmental Protection Act, as set out in section 47 of the bill, be amended by striking out "crown" in the second line and inserting in lieu thereof "prosecutor."

Mrs. Grier: The intent of this section is to provide that a counsel or agent acting on behalf of the crown may require that a provincial judge preside over a proceeding. My amendment merely provides that that request need not merely be made by the crown but can also be made by a prosecutor.

I am assuming, let me say to the parliamentary assistant, that such prosecutor represents someone who has obtained standing and has proved direct personal damage. I would not suggest that might be any Joe Citizen who merely wished to have something referred to a provincial court judge and, therefore, I hope it will be acceptable to the ministry.

Ms. Hart: As I understand it, in order to bring a prosecution under any of these acts, you do not have to prove damage; you merely lay the information or serve the summons, whichever way it goes. But be that as it may, this is an amendment that is not acceptable, in our view. It is premature. It has some ramifications for the Attorney General and also for the courts which must be dealt with and consulted widely about before it can be brought in.

Mr. Chairman: Is it the pleasure of the committee that the motion carry?

Motion negatived.

Mr. Chairman: Are there any more amendments to section 47? The member for Etobicoke-Lakeshore, did you not have another one?

Mrs. Grier: Mr. Chairman, it seems to me, in view of the positions being taken, that most of my proposed amendments as far as section 80—and I just have to revise that one—are not likely to be acceptable, so I will withdraw those.

Mr. Chairman: Fair enough. We had the same problem with your amendment to add section 47a. It was out of order.

Section 47 agreed to.

Sections 48 to 50, inclusive, agreed to.

Section 51:

Mr. Chairman: Ms. Hart moves that section 51 of the bill be amended by adding thereto the

following as a clause forming part of section 1 of the Ontario Water Resources Act:

"(ta) 'waters' means a well, lake, river, pond, spring, stream, reservoir, artificial watercourse, intermittent watercourse, ground water or other water or watercourse."

Ms. Hart: This amendment is merely made for clarity. All of the descriptive terms for water are included within the Ontario Water Resources Act and it was thought that if we used "waters" and defined it, it would be clearer and the courts would not make a distinction among the terms.

Mrs. Grier: I welcome this simplification of the wording and I am happy to accept the amendment suggested by the parliamentary assistant.

Motion agreed to.

Section 51, as amended, agreed to.

Sections 52 to 55, inclusive, agreed to.

Section 56:

Mr. Chairman: Ms. Hart moves that subsection 10(1) of the Ontario Water Resources Act, as set out in subsection 56(1) of the bill, be amended by adding thereto the following clause:

"(aa) entering any place to ascertain the quality or quantity of water, the reasons therefor, and how any impairment thereof may be prevented, eliminated or ameliorated."

Ms. Hart: This amendment is proposed because of the difference in terminology between the two acts and to make them consistent.

Motion agreed to.

Mr. Chairman: Ms. Hart moves that subclause 10(1)(c)(i) of the Ontario Water Resources Act, as set out in subsection 56(1) of the bill, be amended by striking out "certificate of approval, provisional certificate of approval, program approval" in the third and fourth lines and inserting in lieu thereof "approval, requirement, direction, report, notice."

Ms. Hart: Again, it is merely to bring several acts into conformity.

Motion agreed to.

Mr. Chairman: Ms. Hart moves that clause 10(1)(d) of the Ontario Water Resources Act, as set out in subsection 56(1) of the bill, be amended by striking out "certificate of approval, provisional certificate of approval, program approval" in the third, fourth and fifth lines and inserting in lieu thereof "requirement, direction, report, notice."

Ms. Hart: The same reason applies.

Motion agreed to.

Mr. Chairman: Ms. Hart moves that subclause 10(1)(e)(iii) of the Ontario Water Resources Act, as set out in subsection 56(1) of the bill, be amended by striking out "certificate of approval, provisional certificate of approval" in the second and third lines and inserting in lieu thereof "permit, licence, approval, requirement, direction, report, notice, agreement."

Motion agreed to.

Section 56, as amended, agreed to.

Section 57:

Mr. Chairman: Ms. Hart moves that section 10i of the Ontario Water Resources Act, as set out in section 57 of the bill, be amended by striking out "certificate of approval or provisional certificate of approval" in the first and second lines and inserting in lieu thereof "approval, requirement, direction, report, notice, agreement or order."

Motion agreed to.

Section 57, as amended, agreed to.

Mr. Chairman: Ms. Hart moves that the bill be amended by adding thereto the following section:

"57a. Section 11 of the said act is amended by striking out 'waters' in the fifth line and inserting in lieu thereof 'water.'"

We also have problems with this amendment. We have to rule it out of order, because section 11 of the act is not being amended by the bill. We can move forward with this if you seek unanimous consent.

Ms. Hart: Might I seek unanimous consent?

Mr. Chairman: Is there unanimous consent?

Agreed to.

Motion agreed to.

Section 58 agreed to.

Section 59:

Mr. Chairman: Ms. Hart moves that subsection 15(3) of the Ontario Water Resources Act, as set out in section 59 of the bill, be amended by striking out "water or watercourse" in the third, fourth and fifth lines and inserting in lieu thereof in each instance "waters."

Motion agreed to.

Section 59, as amended, agreed to.

1620

Section 60:

Mr. Chairman: Ms. Hart moves that section 60 of the bill be struck out and the following substituted therefor:

"60. Section 16 of the said act, as amended by the Statutes of Ontario, 1986, chapter 68, section

23, is repealed and the following substituted therefor:

"16(1) Every person that discharges or causes or permits the discharge of any material of any kind into or in any waters or on any shore or bank thereof or into or in any place that may impair the quality of the water of any waters is guilty of an offence.

"(2) Every person that discharges or causes or permits the discharge of any material of any kind, and such discharge is not in the normal course of events, or from whose control material of any kind escapes into or in any waters or on any shore or bank thereof or into or in any place that may impair the quality of the water of any waters, shall forthwith notify the minister of the discharge or escape, as the case may be.

Ms. Hart: It is really just to bring the act into conformity.

Motion agreed to.

Section 60, as amended, agreed to.

Section 61:

Mr. Chairman: Ms. Hart moves that subsection 17(1) of the Ontario Water Resources Act, as set out in section 61 of the bill, be amended by striking out "into any water or watercourse" in the second and third lines and inserting in lieu thereof "into or in any waters."

Motion agreed to.

Section 61, as amended, agreed to.

Section 62:

Mrs. Grier: In view of the loss of the amendments to the Environmental Protection Act, I withdraw this amendment.

Section 62 agreed to.

Sections 63 to 79, inclusive, agreed to.

Section 80:

Mr. Chairman: Ms. Hart moves that subsection 61(2) of the Ontario Water Resources Act, as set out in subsection 80(2) of the bill, be amended by striking out "together with" in the 13th line.

Ms. Hart: The words got in by accident.

Motion agreed to.

Mr. Chairman: Ms. Hart moves that subsection 61(2b) of the Ontario Water Resources Act, as set out in subsection 80(2) of the bill, be amended by striking out "6(3)" in the last line and inserting in lieu thereof "6(4)".

Motion agreed to.

Section 80, as amended, agreed to.

Section 81:

Mrs. Grier: Withdraw.

Mr. Chairman: Withdrawn.

Section 81 agreed to.

Sections 82 to 85, inclusive, agreed to.

Mr. Chairman: Ms. Hart moves that the bill be amended by adding thereto the following section:

“85a. Subsection 75(1) of the said act, as enacted by the Statutes of Ontario, 1986, chapter 68, section 42, is repealed and the following substituted therefor:

“(1) Every director or officer of a corporation that engages in an activity that may result in the discharge of any material into or in any waters or on any shore or bank thereof or into or in any place that may impair the quality of the water of any waters contrary to this act or the regulations has a duty to take all reasonable care to prevent the corporation from causing or permitting such unlawful discharge.”

Ms. Hart: Mr. Chairman, before you make your ruling, I might ask for unanimous consent.

Mr. Chairman: I think you are getting to know why. Is it agreed?

Agreed to.

Ms. Hart: It is merely to bring the act fully into consistency.

Mrs. Grier: Let me just say how delighted I am to see that the government is prepared in its own amendments to accept the word “may.” “Every director or officer of a corporation that engages in an activity that may result in the discharge of any material into or in any waters....” I regret it was unable to accept that wording when I moved the amendments, but I am happy to support its amendment.

Motion agreed to.

Section 85a agreed to.

Sections 86 and 87 agreed to.

Section 88:

Mrs. Grier: I withdraw my amendments to sections 88 and 89.

Section 88 agreed to.

Sections 89 to 91, inclusive, agreed to.

Mr. Chairman: Mrs. Grier moved that the bill be amended by adding thereto the following section:

“91a. (1) Section 20 of the said act is amended by adding thereto the following subsections:

“(3a) The director shall give notice of the stop order or the varied or confirmed stop order, together with written reasons therefor, to the municipality in which the emergency exists and

to the public in such manner as the director considers appropriate.

“(6a) Any person may, by written notice mailed to or served upon the director and the board within 15 days after the giving of the notice referred to in subsection 3a, require a hearing by the board.

“(2) Subsection 20(7) of the said act is amended by striking out ‘to whom a stop order is directed’ in the first line.

“(3) Subsection 20(10) of the said act is amended by adding at the end thereof ‘and shall give notice of the rescinding order to the municipality referred to in subsection 3a and to the public in such manner as the director considers appropriate.’”

There, again, we shall have to seek unanimous consent, because section 20 of the act is not being amended by the bill and you are seeking to amend section 20. Shall you seek unanimous consent to deal with this?

Mrs. Grier: I seek unanimous consent and I continue to move this amendment in view of the acceptance by the parliamentary assistant of the amendments I first moved to subsection 3(2) and subsection 4(2).

Mr. Chairman: I presume that means yes. Unanimous consent?

Agreed to.

Mrs. Grier: This yet again is requiring the director to give notice of a stop order to the municipality and to the public and, as I say, is in line with the acceptance by the ministry of the earlier motions I had moved which also gave such public notice. I hope this one will be accepted, too.

Ms. Hart: In some discussions with the member, we had said that the amendment was acceptable if she would delete subsections 2, 3 and 4, but I see she has read the amendment in full so we will not be supporting this amendment.

Mrs. Grier: I am not quite sure of the process, but perhaps if the parliamentary assistant could be clearer as to what amount of public notice the ministry would be prepared to accept, then I will be happy, if I can, to delete those sections that offend in the amendment.

1630

Ms. Hart: What I can say to the member is that if the amendment she moves includes subsection 91a(1), subsection 91a(3a) and what is now numbered subsection 91a(5), then the amendment would be supported; otherwise, it will not be.

Mrs. Grier: I wonder if we are looking at the same copy, given how many times these have all been around. I think that is part of the difficulty, if we could just pause for a moment. I did not read a subsection 91a(4) or 91a(5).

Mr. Chairman: Maybe I should read it myself for the benefit of everyone. I shall read it again if you do not mind, and members can compare it to what they have on their desks.

Mrs. Grier moves that the bill be amended by adding thereto the following section:

"91a(1) Section 20 of the said act is amended by adding thereto the following subsections:

"(3a) The director shall give notice of the stop order or the varied or confirmed stop order, together with written reasons therefor, to the municipality in which the emergency exists and to the public in such manner as the director considers appropriate.

"(6a) Any person may, by written notice mailed to or served upon the director and the board within 15 days after the giving of the notice referred to in subsection (3a), require a hearing by the board.

"(2) Subsection 20(7) of the said act is amended by striking out 'to whom a stop order is directed' in the first line.

"(3) Subsection 20(10) of the said act is amended by adding at the end thereof 'and shall give notice of the rescinding order to the municipality referred to in subsection (3a) and to the public in such manner as the director considers appropriate.'"

Is that what the members have on their desks?

Ms. Hart: Thank you, Mr. Chairman. My apologies. I was reading from the wrong copy.

If I might begin again, the amendment of the member would be acceptable if it omitted from within the amendment subsections 91a(6a) and 91a(2), so that the total amendment would start with subsection 91a(1), would include subsection 91a(3a) and would include at the bottom of the paragraph subsection 91a(3). Otherwise, it will not be accepted.

Mr. Chairman: Subsection 91a(3) would, I guess, be renumbered as subsection 91a(2), since you would eliminate the current subsection 91a(2).

Ms. Hart: That is right.

Mrs. Grier: We take whatever crumbs fall from the table. I am happy to move deletion of those two paragraphs.

Mr. Chairman: Do you wish to withdraw this amendment?

Mrs. Grier: Withdraw this amendment and move another one?

Mr. Chairman: Yes, please.

Mrs. Grier moves that the bill be amended by adding thereto the following section:

"91a(1) Section 20 of the said act is amended by adding thereto the following subsections:

"(3a) The director shall give notice of the stop order or the varied or confirmed stop order, together with written reasons therefor, to the municipality in which the emergency exists and to the public in such manner as the director considers appropriate.

"(3) Subsection 20(10) of the said act is amended by adding at the end thereof 'and shall give notice of the rescinding order to the municipality referred to in subsection (3a) and to the public in such manner as the director considers appropriate.'"

Mrs. Grier: It may be that subsection 91a(3), the last paragraph, may need to be renumbered in accordance with the other sections of the bill.

Mr. Chairman: Fair enough.

Motion agreed to.

Section 91a agreed to.

Section 92 agreed to.

Section 93 agreed to.

Section 94:

Mrs. Grier: I withdraw my amendments.

Section 94 agreed to.

Sections 95 and 96 agreed to.

Section 97:

Mrs. Grier: I withdraw my amendments.

Section 97 agreed to.

Sections 98 to 101, inclusive, agreed to.

Mr. Chairman: We shall go back to the first section, as agreed.

Section 1:

Mr. Chairman: Ms. Hart moves that clause 1(1)(1) of the Environmental Protection Act, as set out in subsection 1(4) of the bill, be amended by adding at the end thereof "as defined in this subsection."

Ms. Hart: It appears that in the bill "municipality" has been defined in two different ways, and it was for clarity that this was added.

Mr. Chairman: Is it the pleasure of the committee that the motion carry?

Motion agreed to.

Section 1, as amended, agreed to.

On motion by Hon. Mr. Wrye, the committee of the whole reported progress.

GASOLINE HANDLING AMENDMENT ACT

Hon. Mr. Wrye moved second reading of Bill 133, An Act to amend the Gasoline Handling Act.

Hon. Mr. Wrye: I am pleased to introduce for second reading amendments to the Gasoline Handling Act, amendments that will help prevent underground storage tanks from leaking. The legislation applies to tanks at private outlets, which include those buried under farms, transportation companies, factories, institutions and municipalities.

Although it has been illegal to install unprotected tanks for the last 13 or 14 years, since 1974, older, unprotected ones could leak automotive fuels into our soil and waterways if preventive measures are not taken. The bill that is before the House today for second reading requires that tank locations be identified and it prohibits suppliers from filling tanks that do not meet our safety and registration requirements. Anyone contravening the act faces penalties of up to \$10,000 in fines and/or a year in jail.

The legislation will enable the government in this province to meet its 1991 deadline for having all underground steel tanks and associated piping protected from external corrosion. In turning our attention to tanks at private outlets, we are complementing initiatives already well under way for upgrading tanks at retail outlets and removing abandoned tanks.

Without such protection, automotive fuel could leak into the ground water, contaminating Ontario's drinking supplies and waterways for great distances. This fuel could even travel through sewer systems or enter buildings through basements. Then all it takes is a small spark for vapours to burst into flame or explode. In one of the worst Ontario incidents to date, an entire sewage pumping station was destroyed by gasoline from a leaking underground storage tank.

Medical research has found that prolonged exposure to gasoline vapour may harm people, animals and vegetation. Even minute quantities of leaked fuels can cause serious taste and odour problems in water supplies. In the soil, automotive fuels can interfere with plant growth and reproduction. On shorelines and beaches, it can threaten wildlife, waterfowl and vegetation.

1640

In addition to a multitude of concerns—safety, health and environmental—there are heavy financial costs to tank owners who may have to clean up a spill, a far more expensive job than

upgrading or removing a tank before the trouble occurs. That is what this bill is all about.

Because the tanks are buried, most people are not aware of the threat they pose at private outlets, but I hope and believe my colleagues all see the importance of these amendments to the health and wellbeing of the people of Ontario. In order to meet the 1991 deadline, we must begin identifying tank locations as soon as possible. That way, we can get on with this important phase of the very comprehensive program the government has undertaken.

Mr. Swart: I rise to participate in the debate and to say immediately that one cannot object to this bill; it meets a very real need in our society.

I suppose a question one should legitimately ask is why, when the amendments were put before this House, I think it was in 1982—and I know the people over there cannot answer for that—they did not at that time include this technique of identifying those private tanks, which often can be the ones most likely to leak because frequently they do not get the attention and the expertise that those people who operate the commercial outlets do.

It is clear from this bill that the declarations that these tanks are in a fit condition have to be made by January 1991 or it will be illegal for anybody to fill these tanks. It is also clear that by October 31 of this year the director must be notified of any tanks that were filled in 1987, and there is a deadline, January 1 of the coming year, for tanks that are filled up to September 30, 1988. I do not have any objections to those and I do not have any objections to the timing. But I will invite the minister to get up when I am finished, in about one minute from now, and state why he has limited the search for the location of those tanks back only to the year 1987.

It seems to me that there probably are numbers of tanks, scores of them, perhaps even hundreds of them around this province. Farms abandoned by their farmers may have half-full tanks sitting there that may have been filled in 1985 or 1986, and we will not be able to find those tanks through these deadlines. Any of the tanks that are being used at the present time, of course, will be located by this technique, but why would we not have used this legislation to have located tanks which may have been abandoned and may still be half-full of gasoline or some similar product? Why not go back further?

I do not have any exact date in mind, but it just seems to me this is the opportunity, that we should be doing that. Granted, perhaps those older tanks are not going to be filled again, but

they could be put back in use again. Why limit this to the year 1987? Although I do not have an amendment prepared, I say quite frankly it might be wise to go into committee to change that date, a very minor amendment, if it is desirable to locate those tanks that were filled prior to that time and have now been abandoned. Unless the minister can convince me otherwise, I think it is desirable to locate those tanks.

The Acting Speaker (Miss Roberts): Does any other member wish to participate in the debate? If not, the honourable minister in reply.

Hon. Mr. Wrye: I am sorry, Madam Speaker. I thought the member for Leeds-Grenville (Mr. Runciman) was going to have something to say on this.

I am not sure in response to the two questions from my friend the member for Welland-Thorold (Mr. Swart). The answer to the first question is that I do not know why this was not handled in 1982. The member has raised a question of putting the onus on suppliers, in effect, to report to the director by October of this year for all 1987 usages of these storage tanks and by January 1, 1989, I believe, for those usages in the first nine months of this year.

Very clearly, it was our expectation, and I say that to my friend, that usage over the last 21 months would be appropriate and would identify the vast majority. I have asked my officials to take a quick look at going back any further, but we could get into problems. I am advised one of the problems would be that transporters and suppliers would not have records any further back.

I acknowledge what my friend is saying, that it may leave us with a very small number of tanks with gasoline in them. I do note for my friend that by January 1, 1991, such tanks may not be used. It is not a perfect solution, but this takes us a very long way forward and certainly will get us virtually all of those underground tanks in the province, save a handful where there is some small amount of gasoline, and yet the tank, in effect, as my friend points out, has been abandoned.

I am not certain that even with an amendment, if we went back to 1982 or 1975, we would necessarily find those tanks in what my friend acknowledged in his own remarks could be abandoned farms or some kind of abandoned property. I am not sure we can pin a date. Certainly, we think by going back the 21 months that we will appropriately identify thousands and thousands of these storage tanks that we can

ensure by 1991 do have the proper outer protections.

Motion agreed to.

Bill ordered for third reading.

PREPAID SERVICES ACT

Hon. Mr. Wrye moved second reading of Bill 26, An Act to regulate Prepaid Services.

Hon. Mr. Wrye: As members in the House are aware, many consumers in Ontario have suffered, some quite recently, financial losses when fitness clubs to which they have made upfront payments have closed their doors. There is also a growing concern with modelling, diet, talent and similar clubs which require members to prepay for services.

While we cannot prevent these kinds of companies from going bankrupt, we can soften, and this bill attempts to soften, the financial impact on consumers by imposing a limitation on the terms and the lengths of these contracts. We can help those consumers also to be protected from any high-pressure sales tactics, and that is what this bill attempts to do.

It will limit potential losses for consumers by restricting the contract length to one year and by requiring that instalment plans and monthly payment options be offered. In addition, initiation fees cannot be greater than double the annual membership fee and consecutive contracts or contracts for similar activities are prohibited. Although these clubs can still sell memberships before the club opens, this bill will require them to hold these funds in trust until five days after the club actually opens for active membership.

1650

To curb high-pressure sales tactics, the bill will provide for a five-day cooling off period as well, during which the fees must remain in trust. Clubs will be prevented from automatically renewing memberships, something which has bothered a number of consumers quite a bit in the past. Renewals will be permitted only if members have been notified in advance and reminded of their right to refuse.

Since the bill was introduced last November, certain amendments have been made, and I will be proposing these in committee of the whole.

First, to allow for possible mail or banking delays, club operators will have 20 days instead of 10 to issue a refund to the customer after cancellation of the contract. The second amendment deals with the membership contract. Only the services purchased by the customer must be listed on the contract, along with the price for

each service in the instalment plan chosen by the customer. These two amendments are essentially housekeeping in nature but will clarify the intent that we had in introducing the bill.

We are acting on behalf of not only the 125,000 Ontario consumers who lost out when their health clubs went under but also the growing number of consumers who are prepaying for similar services. This legislation responds to a specific issue while at the same time catching other problems with prepaid contracts in the same net. However, in taking this approach, we have been careful not to capture transactions—prepayment of theatre tickets, for example—that have not traditionally, up to this time, in any way presented difficulties for consumers.

The failure of about 25 fitness clubs since January 1987 demonstrates the need for this legislation to pass as quickly as possible. It is our role to protect consumers from some of the losses that have resulted from contracts that require large payments for services that may never be received. I want to urge all members to support this important new consumer protection legislation.

Mr. Swart: I would say immediately that a bill to provide protection for those individual members of clubs and those customers who prepay services in a variety of organizations has been long needed. The reasons put forth by the minister are valid. Some 40 fitness clubs have folded in the last four years, and in most of those, some of the members have lost money, some of them substantial amounts of money.

We in the New Democratic Party have been pushing for this kind of legislation for many, many years, and we are glad to see that the bill is finally being dealt with. Although we think it is not totally adequate and will be moving some amendments to it, nevertheless it is a bill that will provide substantially more protection, substantially more than nothing, for those people who are members of these clubs.

I might say that I was involved in the issue as the critic for the New Democratic Party, and I raised it in this Legislature, when Vic Tanny's closed down some seven years ago. I might also add that it is the only time in this Legislature when I have at least been formally notified that I was going to have a suit brought against me if I did not make a retraction. The day after I raised it in the Legislature, the Toronto Star had an article about it. I was out of town; I could not be reached, and the Toronto Star withdrew its comments and apologized. When I was contacted by the Vic Tanny's representatives the next

day, I said I certainly was not going to withdraw my comments, that what I had said was correct and, in fact, I had more information to provide. Although that pressure was kept up on me for another week or 10 days, eventually they backed off and I never did apologize, nor would I apologize for comments which I had made that were correct.

So this is not something new. It is something, quite frankly, that should have been dealt with by the government of the day at least back at that time when the major health club, Vic Tanny's, folded. We know that just this last winter and spring two clubs folded, the one in Brantford—and people there lost a substantial amount of money—and then the Sheppard Club in North York. It is essential that we have this kind of legislation on the books.

This bill provides for a five-day cooling-off period after a contract is signed, and certainly we would agree with that.

It provides for a maximum contract length of one year, and we would agree with that.

There is prohibition against assigning of sequential or concurrent contracts unless the services are distinctly different from those in the first contract. Again, that is necessary.

It provides a limitation on initiation fees to an amount not to exceed twice the annual membership fee. We think twice that limit is totally unreasonable. The initiation fee should not be any greater than the annual membership fee, because it is just another way of getting around the prohibition on upfront money. We will be moving an amendment to that.

There is a provision that moneys received for services which are not yet available—in other words, if you sign up before the club opens—will be put in trust. It also provides that all operators must make available at least one monthly instalment plan to their members as well as the yearly membership fee or anything up to a yearly membership fee.

The renewal of contracts, which seems only reasonable in any transaction, is permitted only with prior notification to the member, who is given the right to refuse the renewal. It seems a bit of a condemnation of the commercial legislation in this province that, up until this bill is passed, somebody can renew a contract without even contacting you about that renewal.

As I said, we feel there are some shortcomings in this bill, and we have submitted certain amendments to the minister. I do make some apology to him and the critic for the Conservative Party that I did not have them to him sooner, but I

think they are pretty straightforward and can be dealt with.

Those amendments will include a new section that all fees paid in advance be deposited into a trust account and paid to the operator only as they are earned. If you take out a year's membership in one of these fitness clubs, that money will be put in trust and paid to the operator only on a monthly basis.

We also will be moving an amendment to provide that all contracts in effect on the day the bill receives royal assent will be deemed to expire one year following that day. We limit these contracts in here to one year, but there are certain fitness clubs today, as I understand, that have contracts for three years or perhaps even longer periods of time. It seems reasonable that if we say a person should not be tied in, then we need not make it retroactive, but one year from the time this legislation passes they will have the right to determine whether they want to stay with that fitness club or terminate their membership.

I believe at one time, at least—and my understanding is that there are none today—you could have a life membership in some of these clubs. If there are any left, I do not think it is fair to leave those people hanging out to dry.

We have already stated that we believe the maximum initiation fee, which this legislation sets at double the annual membership fee, is unreasonable and just provides another opportunity for the fitness clubs, if they wish, to decide that everybody must pay this high membership fee and get that money in, and they can fold afterwards.

I think it is significant that the club which folded in Brantford—I believe I am correct in saying this—operated for only two months. If some club decided it was going to have an initiation fee that was double the annual membership fee—which could be \$500, perhaps even up to \$1,000—got all those funds in and then folded immediately, a lot of people would be ripped off in that regard.

1700

We also want to make it clear by another amendment which we will put to this bill that "monthly instalment plan" means 12 equal monthly payments and that service charges for such a plan cannot exceed 15 per cent of the annual membership fee.

It is all very well, on the one hand, to say that any of these clubs must provide for a monthly payment plan, but again, if they are going to charge two or three times as much for the monthly payment plan as they do for the

lump-sum payment for a year's membership, then they are not really serious at all about having a monthly payment plan. If it is going to have any meaning, it must be that they are not going to be permitted to charge excessive costs for the payment plan if it is on a monthly basis.

With those qualifications and with the intent to amend this bill when it goes into committee, we will be supporting this bill on second reading.

The Acting Speaker: Are there any comments or questions with respect to the remarks made by the member for Welland-Thorold?

Mr. Wildman: Ditto.

Mr. Runciman: I just indicate that our party will be supporting the bill and the government amendments.

Hon. Mr. Wrye: In moving second reading, let me just indicate that I know my friend the member for Welland-Thorold thinks this matter is long overdue. I am certainly pleased that this, along with other important new protection for consumers in Ontario, will be debated in this forum and, I hope, brought to third reading while my good friend the member for Welland-Thorold is still here. Certainly we all acknowledge his contribution over the years on behalf of the consumers of this province. As he will appreciate, we acknowledge it a little more loudly as he takes his departure than perhaps we did in the other years.

I say only that I do note his comments on the amendments. I will have some comments on his proposals as he brings them forward individually in committee of the whole House.

I would suggest to my friend, though, in anticipation, that he may want to look at his amendment to section 8 of the bill. In effect, he has two different matters he is trying to amend in one, and he may want to split them, because I may want to support one of the amendments.

Motion agreed to.

Bill ordered for committee of the whole House.

House in committee of the whole.

PREPAID SERVICES ACT

Consideration of Bill 26, An Act to regulate Prepaid Services.

Section 1 agreed to.

Section 2:

Mr. Chairman: Mr. Swart moves that subsection 2(3) of the bill be struck out and the following substituted therefor:

"(3) Subject to subsection (4), this act does not apply to a contract in force at the time this act comes into force.

"(4) Any contract in force on the day this act comes into force may be cancelled by the customer at any time after one year after this act comes into force upon the customer giving the operator one month's written notice of cancellation.

"(5) If a contract is cancelled under subsection (4), the operator shall refund to the customer the unearned portion of payments made to the operator by the customer under the cancelled contract."

Mr. Swart: Very briefly, I think it is pretty obvious what we are attempting to do in this amendment, and that is to provide for the option of a customer, who may now be tied into a contract that is more than one year in length, being able to cancel out of that contract upon due notification when this act is proclaimed.

I will just say it seems this is reasonable. I do not know how many people there are—I was not able to find out—who are tied into longer contracts, but I understand there is at least one fitness club and perhaps more with people tied into three-year contracts. If they are tied in, of course they are in some danger if those should fold. If the principle is sound that nobody should be tied in for more than one year, then I suggest this amendment should be passed by this Legislature.

It is not really a case of making this legislation retroactive. It is really making the whole purpose of this bill operative at the time the bill is passed, and therefore I hope this amendment can be accepted by the minister to provide a degree of equality to all members of fitness clubs.

Hon. Mr. Wrye: Regrettably, that is exactly the view we would take of this; that is, that the amendment is essentially comparable to making the legislation retroactive. One of the concerns we would have in doing so—I am sure my friend would share it, although I am sure he stands foursquare in continuing to support his amendment—is that in our view, and I know the member would not want to do this, it could jeopardize the industry.

They have acted on the basis of certain financial expectations that are based, in some cases, on contracts now in place that run for a period longer than one year. Certainly, putting this new onus on them of cancellation after one year after the legislation takes effect could, I think, in some cases jeopardize the industry. The member points out that we have had a number of

failures over the last few years. I do not think we want to do anything that would jeopardize the industry and add to them, so the government will not be supporting the amendment.

Mr. Runciman: I share the minister's views. As a matter of principle, we have a great deal of difficulty in this party with retroactive legislation. Although the member feels it is something other than that, we share the view that it is indeed retroactive and also echo the minister's views that it could put some firms in jeopardy.

Mr. Swart: If I could reply to those two comments, I would just state that of course it can put some clubs in jeopardy. I guess the decision we have to make is whether we want to put the club in jeopardy or leave these people in jeopardy. I tell you, Mr. Chairman, it is the people, the members who have suffered over these last years because we did not have protective legislation, and I come down and opt for the side of the members and the customers.

1710

Sure, there is a possibility that it can mean that some fitness club might fold if it lost a lot of members. On the other hand, if it is operating a good business, I think the members would want to stay there and the numbers that would opt out would be very small. It seems to me that if these members are getting the service they will stay there; and if enough of them are going to opt out that the club is going to fold, then perhaps it should fold.

Mr. Chairman: All those in favour of Mr. Swart's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Section 2 agreed to.

Section 3 agreed to.

Section 4:

Mr. Chairman: Hon. Mr. Wrye moves that clause 4(1)(b) of the bill be amended by striking out "available to" in the first line and inserting in lieu thereof "contracted for by."

Hon. Mr. Wrye further moves that clauses 4(1)(c) and (e) of the bill be struck out and the following substituted therefor:

"(c) the price of the services contracted for;

"(e) if payment is to be made by instalment, the number of instalments, the amount of each instalment and the total additional cost, if any, for payment by instalment; and...."

Hon. Mr. Wrye: Subsection 4(1) describes the information which must be on the contract

between the operator and the customer. The way clauses 4(1)(b), (c) and (e) now read could be interpreted as meaning a cumbersome amount of changing information must form part of the contract.

The proposed amendments make it clear that only those services the customer has purchased, the price of those services, the method of payment and the particulars of the instalment plan chosen by the customer need form part of the contract. I again note that it is the contract we are talking about in this case, and that is why the wording has been changed.

Mr. Swart: I have no objection to this. I believe it improves the bill.

Motion agreed to.

Section 4, as amended, agreed to.

Sections 5 and 6 agreed to.

Section 7:

Mr. Chairman: Mr. Swart moves that subsection 7(2) of the bill be amended by striking out the word "twice" in the second line thereof.

Mr. Swart: It is perfectly obvious what we are attempting to do here. At the present time the subsection says, "No operator shall charge an initiation fee that is greater than twice the annual membership fee." If the word "twice" is eliminated, it will simply read, "No operator shall charge an initiation fee that is greater than the annual membership fee."

It seems to me perfectly rational that if we and the government have decided by this legislation that nobody should have to pay for a membership fee for more than one year, why should anybody have to pay an initiation fee which is equal to two years? In fact, what the person then could be paying would be a three-year fee or an amount equal to a three-year membership fee.

Again, it is my understanding that there are not many clubs that charge initiation fees at the present time. It is an annual membership fee. This is just a way for some clubs to get around the kind of upfront payments that will be and can be in jeopardy. They are trying to get around the prohibition of those upfront payments. If there is only one fitness club in an area, nobody has any choice; clubs can exact that kind of tribute, which can be in jeopardy.

Certainly, I have some reservations about saying they can charge an initiation fee equal to one year's fees. I moved this amendment the way it is in the hope that it would get through this House, because I believe it is unreasonable to permit and to charge that kind of initiation fee.

Hon. Mr. Wrye: I can see that my friend is trying to be reasonable and I know he had some views on initiation fees in the past which were even stronger. Regrettably, we are not going to be able to agree to the amendment.

With the proposed change, and there is no magic as to the amount, we think that limiting the amount to twice the annual membership fee will limit the exposure of members, which, as the member for Welland-Thorold (Mr. Swart) points out, has been too great in the past.

The problem in limiting the initiation fee any further is really twofold: first of all, we would provide no recognition of the capital investment by operators; and second, and perhaps more important, I think it would have the likely effect of driving up the overall membership fees over a longer period of time, and I think that would be most unfortunate.

There are certainly cases, in this case as in any other, where there is an initiation fee, and a substantial one, to the operator. We will want to take a very careful look, but we think that in limiting this number to twice the annual membership fee, the exposure of consumers is reasonably limited. Thus, we will not support the amendment.

Mr. Runciman: We think the government's position is reasonable.

Mr. Breaugh: Forty-five years of the same stuff.

Mr. Swart: Yes.

I would just like to say that I do not accept the arguments put forward by the minister, nor do I think the people of this province will accept the arguments put forward by the minister. Many of these fitness clubs are not starting up. They do not need the capital investment. They have been in operation for 10 or 20 years. Most of them got away from it, but a few of them still charge this initiation fee.

Now we are going to permit to them to charge initiation fees which are double. They do not need any new capital. If that is the way they are going to get capital in any event, it is a pretty risky business. I would think that they would be able to get capital from other sources, as they should, rather than upfront payments from their customers.

I just suggest that, once again, I see this as a matter on which the minister is leaning towards the side of the fitness clubs instead of the customers, the members. I think what he is permitting to be done here is even worse than the last one.

Mr. Chairman: Any other comments? If not, are we ready to vote?

Is it the pleasure of the committee that the motion carry?

Some hon. members: No.

Mr. Chairman: All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Section 7 agreed to.

Section 8:

Mr. Swart: With your permission, Mr. Chairman, in the hope that we can get at least one amendment through, I would like to move this in two sections, if I may.

Mr. Chairman: Mr. Swart moves that section 8 of the bill be amended by striking out "payments on a monthly basis" at the end thereof and inserting in lieu thereof "equal monthly payments over the term of the contract."

1720

Mr. Swart: I think what we are attempting to do is very obvious. It says "payments on a monthly basis"; it does not say "equal monthly basis." They could say, "You have to put up three quarters of it in the first month and the rest of it is spread over the remaining 11 months." I think this is simply better wording and says what I think the government intended to say in this amendment.

Hon. Mr. Wrye: The government is pleased to accept this amendment.

Mr. Wildman: In that case, I will follow the lead of my friend the member for Welland-Thorold but I am very concerned about it.

Mr. Chairman: Are there any other comments? If not, are we ready to vote? Is it the pleasure of the committee that the motion carry?

Motion agreed to.

Mr. Swart: I would like to move that section 8 be further amended by adding thereto the following:

"(2) In a plan for payments, the total amount paid by instalments should not exceed the membership or initiation fee, if applicable, by more than 15 per cent."

Mr. Chairman: You have some words in there, sir, that I do not have on my sheet here. Would you please read it again?

Mr. Swart: This is the correct one. I found in my files more of these resolutions than I thought were there, and it is obvious some are old ones. I

have the right one here. I believe I can send you a copy.

Mr. Chairman: Mr. Swart moves that section 8 be amended by adding thereto the following subsection:

"(2) In a plan for payments, the total amount paid by instalments shall not exceed the membership or initiation fee, as the case may be, by more than 15 per cent."

Mr. Swart: We feel rather strongly that if you are going to have a workable prepayment monthly plan, you should not permit payments to be set at some excessive level. In fact, if they wanted to put in a monthly payment plan and the total fees were \$500, they could charge \$100 a month, up to \$1,200. They might not like the idea of the monthly prepayment plan; they may want to get the money up front.

So we suggest that the total amount to be paid in under a monthly payment plan should not exceed their rate set on a yearly basis by more than 15 per cent. That allows them some additional money for the cost of collecting that payment every month and for the interest they will not get.

I am not wedded to that figure. If somebody thinks that is not enough, we would probably go for 20 per cent. But that seems a reasonable figure. It seems reasonable that we have to have some figure in there to prevent them from setting up a monthly plan that is going to be prohibitive and that nobody will use and by which, in effect, they will circumvent the intent of this act.

Hon. Mr. Wrye: The government does not support the amendment, but I am interested and curious. My friend suggests perhaps another figure. I am wondering if my friend may want to speak a little longer while I check to see whether the amendment might be supportable if we had another figure. Perhaps my friend would like to go into a little bit of additional argument.

Mr. Swart: I would do anything to prolong this so that the minister may hopefully be able to get some consent on this.

Mr. Chairman: Almost anything.

Mr. Swart: Yes; "almost anything" would be a better term. I have to say that this figure was picked out of the air by the government, like a lot of the other figures that are in this bill in particular. The 15 per cent figure may not be the one that should be used; it could be less. Certainly, that would take care of any interest that would accrue at today's interest rates.

I realize there is some job collecting this and they have to send out notices to the people or

have somebody there to bug them when they come in to get this monthly payment. However, I do not think it is reasonable to leave the option open for the fitness club to charge any fee it likes, which may have no relationship to the yearly fee.

I want to say here—I am going to keep the minister sitting down for at least a minute or two after giving me the option—that the majority of the fitness clubs do not attempt to exploit the members. I want to make that clear. Most of the legislation we pass in this House on most subjects is legislation for the minority of the operators among the population, as with those who speed on the roads. We only need legislation for those people who seem to be natural speeders on our highways. This is the same sort of thing.

We are not trying to penalize the legitimate companies, which are in the majority, but those who would try to exploit this. I think that is the whole purpose of this legislation; it has been the bad operators. Therefore, I hope the minister is smiling because he has a favourable answer to this amendment.

Hon. Mr. Wrye: I was intrigued when my friend said he was not completely wedded to the 15 per cent number. Quite frankly, we were not prepared to support the amendment at the 15 per cent number because, again, I go back to the argument I made on an earlier clause we were discussing in clause-by-clause in committee of the whole. The member will note that operators must make these instalment payment plans available, and at 15 per cent, quite frankly, it would threaten the viability of some companies over a period of time.

I have discussed with my staff whether we ought to have a number at all. Certainly, I am intrigued and inclined towards a number, because otherwise an instalment payment plan could be made so outrageous that, as my friend I think points out, it would not be viable to any customer.

We believe that a figure of 25 per cent would be a much more reasonable figure. Most of these companies send out these contracts; they are in the 24 per cent or 25 per cent range now in virtually all cases. We think to be viable for companies, and we do want these various clubs to continue to operate for the consumers, that would be a reasonable number. I hope my friend can accept that. As I understand it, the wording would remain the same otherwise, that it should not exceed 25 per cent.

It has the dangerous potential of driving that up and making the maximum the minimum, but my

friend does point out that without that, we have no number. We cannot accept it at 15 per cent.

Mr. Runciman: I think this whole exercise with respect to this amendment is a bit of a joke. Talk about flying by the seat of your pants. The minister runs out and consults with his advisers and comes back and says, "Well, I think maybe 25 per cent is OK."

This is a bill that is going to have an impact on a lot of businesses in this province and we are having the minister and the critic for the official opposition both admitting they really do not know where they are coming from with respect to these figures and then trying to pass this kind of thing here today. To me, it is quite irresponsible. This is Big Brotherism in the extreme in respect of the government's involvement. The critic for the official opposition says that most companies are not exploiting. I mean, how protective do we have to be of consumers? I think that most of them out there are mature individuals who, indeed, if most companies are acting in a responsible fashion, have options available to them and can shop around.

This is a convoluted piece of business. Both the minister and the critic have indicated they are flying by the seat of their pants in respect to the figures. I think we are going overboard. Let's go with the original bill and not get into this kind of foolishness.

1730

Mr. Wildman: I was not going to participate in this debate, but I was provoked into it by my friend the member for Leeds-Grenville (Mr. Runciman). Surely, that is what this place is about. It is an assembly of elected members who are here to debate and discuss legislation. We are in committee so that we have a give-and-take to try to improve legislation.

To say that a proposal made by any member of the House, whether he or she be a member of the opposition or the government party, that might be accepted by a minister as a result of the arguments put forward is to "fly by the seat of our pants" is to denigrate the whole process.

Surely, the reason that we are here is to look at the legislation seriously; if it is supportable, to support it; if we think it can be improved, to put forward amendments. If an opposition member proposes an amendment and says that he is not wedded to a particular figure because he does not have access to all of the research that a minister's staff would have, and if a minister then says: "We will look at this. It makes sense, but we do not think the figure is correct;" and consults with staff, who then propose a more appropriate

figure—to say that is not a good process is to misunderstand the process. Surely, that is what we are all about.

I think my friend the member for Welland-Thorold has a record of concern for the consumer and of wanting to protect the consumer. He has indicated he is not wedded to the 15 per cent figure; the minister has indicated another figure. I am sure we can reach some accommodation, and I think to suggest that is not the way things should operate is to misunderstand the process.

Mr. Swart: I am prepared to accept the 25 per cent figure. I think it is better to have a ceiling in there, even if it is 25 per cent, although 15 per cent, in my view, may be more appropriate. I think it is better to have that figure in there.

Of course, I concur with the comments of my colleague the member for Algoma (Mr. Wildman). That is the purpose of this place. In fact, when I heard my colleague the member for Leeds-Grenville get up, although I had some very strong reservations, I realized why we had more accord with a certain party two and a half years ago than we did with that party. At least there was some compromise.

I want your direction, Mr. Chairman, on how we proceed. I am willing to move an amendment to the amendment, if that is in order.

Mr. Chairman: I do not think that is necessary. If you are agreeable, we shall—

Mr. Swart: Yes, I am agreeable to having the 15 per cent figure at the end of my amendment changed to 25 per cent.

Mr. Wildman: There is just one comment I want to make. I do regret very much that this discussion has broken up the budding alliance between the member for Leeds-Grenville and the minister.

Mr. Chairman: Are we ready to vote? That being the case, since there have been some changes, I will reread it in its entirety, and I would like members to pay attention please.

Mr. Swart moves that section 8 be further amended by adding thereto the following subsection:

“(2) In a plan for payments, the total amount paid by instalments shall not exceed the membership or initiation fee, if applicable, by more than 25 per cent.”

Motion agreed to.

Section 8, as amended, agreed to.

Section 9 agreed to.

Section 10:

Mr. Chairman: Hon. Mr. Wrye moves that section 10 of the bill be amended by striking out

“10” in the second line and inserting in lieu thereof “20.”

Hon. Mr. Wrye: Very briefly, the section provides for a refund to be made within 10 days where required by the act. I think it is fair to suggest that the realities of the marketplace indicate that although a customer's cheque may clear on the day of issue, not-sufficient-funds cheques are sent back to the operator by regular mail. The proposed amendment to extend the refund period to 20 days obviates the possibility of an operator refunding against an NSF cheque and allows a more reasonable time to administer the process.

Mr. Swart: I am willing to accept this. I want to point out that this is twice now that I have accepted the minister's change in figures. The arguments he makes are valid. It is true that length of time should be in there.

Mr. Runciman: We will be supporting it as well. We are being consistent; consistently fair.

Motion agreed to.

Section 10, as amended, agreed to.

Section 11 agreed to.

Section 12:

Mr. Chairman: Mr. Swart moves that section 12 of the bill be amended by adding thereto the following subsections:

“(2) Every operator shall place, in the trust account set up under subsection (1), all payments received from customers.

“(3) No operator shall withdraw funds from a trust account except as they are earned on a month to month basis.”

Mr. Swart: The intent of what we are endeavouring to do here, I think, is perfectly obvious. By this method, there can be no ripoff of the customer's funds if they have to be set in a trust fund over the year, even though they may pay in \$500 as a membership fee for the year and \$1,000 as initiation fee. If that \$1,500 is set up in a trust fund and an operator can only draw out one twelfth of that money each month, it will eliminate any possibility of any customer having an amount of money he has paid lost to him.

I would point out, too, in proposing this amendment, and I am sure the minister is listening to this, that it is copied to a very substantial degree from his prepaid funeral services bill, where if you prepay funeral services, the money cannot be taken out. It has to be set up in a trust fund until it is actually used. What better proof could we use of the need but a bill that has been tabled by the Minister of

Consumer and Commercial Relations (Mr. Wrye)?

It just provides additional protection to the consumer to prevent the kinds of things happening that have been happening with the fitness clubs. The minister says there have been 25 in the last four years that have folded and people have lost their money. This would prevent that from happening. That is the purpose of this amendment.

Hon. Mr. Wrye: There are some differences here and the government will not be supporting this amendment. There are major differences between the Prepaid Funeral Services Act, 1987, and this act. Certainly, I think the key subsection 3 that says they can only be withdrawn as they are earned on a month to month basis really fails to understand and reflect the marketplace and the fact that in these various clubs that are covered under the legislation, the activity in terms of membership can vary quite wildly from month to month. Sometimes, just as in a lot of other business enterprises, the real profit is taken in a very short time of the year. As it is with most retailers, when it is taken around Christmas, so it is with most of these clubs.

We think this amendment (1) would again threaten the viability of some of these clubs and (2) would in any case provide, for what is often a fairly small business, a very confusing and bureaucratic set of rules which would be entirely inappropriate to the situation.

1740

Mr. Chairman: Any other comments? Are we ready to vote?

Is it the pleasure of the committee that the motion carry? All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Section 12 agreed to.

Sections 13 to 18, inclusive, agreed to.

Bill, as amended, ordered to be reported.

On motion by Hon. Mr. Wrye, the committee of the whole reported one bill with certain amendments.

CONSUMER REPORTING AMENDMENT ACT

Hon. Mr. Wrye moved second reading of Bill 52, An Act to amend the Consumer Reporting Act.

Hon. Mr. Wrye: The purpose of these amendments is to prevent any access to a consumer's credit file without his or her knowledge. The new provisions we are proposing would require that the prescreening of credit files or any derivative thereof be treated as a consumer report and that affected consumers be notified before any unsolicited search could be conducted.

As members may be aware, information collected by consumer reporting agencies can be valuable to companies that wish to prescreen prospective customers. Although the practice is not a problem in Ontario now, it is in some other jurisdictions, and we want to prevent such a situation from happening here.

Our existing legislation requires the consumer be notified when a search is to be conducted following a consumer's application for credit and also when any benefit has been denied on the basis of the credit report, but there is currently no statutory requirement that a consumer be notified when an unsolicited search is carried out on a credit file. That means the consumer would not only be unaware of the search of his file but might be denied credit without his knowledge.

The proposed amendments will ensure the integrity of consumers' credit files by requiring consumers be notified before any unsolicited search is conducted. In this way, consumers will know that the reports are being done on them and have the opportunity to ensure that the information in their credit file is correct. The consumer's right to know what is being reported about him and to whom must be guaranteed. I hope all members will support this important consumer protection legislation.

Mr. Swart: Once again, we have to support the principle of this bill, in fact enthusiastically. I think it is fair to say that we in this party have been leaders in endeavouring to prevent the dissemination of sometimes faulty information on people being used against them for credit and in many other ways.

This certainly becomes, we all agree, more important in the computer age, when information can be sold and can be spread very easily. Anybody should have the right to know ahead of time and to refuse permission for anybody to look at his or her credit file.

There is a young woman here in Toronto who has contacted me on occasion over the last year. She has had false information on her files and has been unable to get credit because of this false information. She got it corrected, but for some reason or other, some of the banks and the other

financial institutions will still not give her credit, even though that information was false. The purpose of this bill, to further tighten up the option for people to get private information on you, is something I think we all recognize as desirable.

Mr. Runciman: I just indicate that we are supportive of the legislation and have no difficulty with it.

The Acting Speaker (Miss Roberts): Minister, we are very close to 5:45 p.m.

Hon. Mr. Wrye: I thank my friends for their support and move second reading of the bill.

Motion agreed to.

Bill ordered for third reading.

House in committee of the whole.

ENVIRONMENT STATUTE LAW AMENDMENT ACT

Consideration of Bill 148, An Act to amend certain Acts respecting the Environment.

1757

Mr. Chairman: Order please. We have five votes to take.

The committee divided on Mrs. Grier's amendment to section 5 of the bill, which was negatived on the following vote:

Ayes 22; nays 60.

Section 5 agreed to.

The committee divided on Mrs. Grier's amendments to section 10, which were negatived on the same vote.

Section 10 agreed to.

The committee divided on Mrs. Grier's amendment to section 13, which was negatived on the same vote.

Section 13 agreed to.

The committee divided on Mrs. Grier's amendment to section 22, which was negatived on the same vote.

Section 22, as amended, agreed to.

Bill, as amended, ordered to be reported.

On motion by Hon. Mr. Conway, the committee of the whole reported one bill with certain amendments.

BUSINESS OF THE HOUSE

Hon. Mr. Conway: As we approach the adjournment hour, I will take the House into the following confidence and indicate that tomorrow, this being a short week, we will proceed, as time permits, and not necessarily in this order, with third reading of Bill 107, and then, again not necessarily in this order, second reading of Bill 22, Bill 124, Bill 159, Bill 68, Bill 153, Bill 84, Bill 85, Bill 141 and Bill 142.

The House adjourned at 6 p.m.

ALPHABETICAL LIST OF MEMBERS*
(130 seats)

First Session, 34th Parliament

Lieutenant Governor: Hon. Lincoln M. Alexander, PC, QC

-
- | | |
|--|--|
| <p>Adams, Peter (Peterborough L)
 Allen, Richard (Hamilton West NDP)
 Ballinger, William G. (Durham-York L)
 Beer, Charles (York North L)
 Black, Kenneth H. (Muskoka-Georgian Bay L)
 Bossy, Maurice L. (Chatham-Kent L)
 Bradley, Hon. James J., Minister of the Environment (St. Catharines L)
 Brandt, Andrew S. (Sarnia PC)
 Breugh, Michael J. (Oshawa NDP)
 Brown, Michael A. (Algoma-Manitoulin L)
 Bryden, Marion (Beaches-Woodbine NDP)
 Callahan, Robert V. (Brampton South L)
 Campbell, Sterling (Sudbury L)
 Caplan, Hon. Elinor, Minister of Health (Oriole L)
 Carrothers, Douglas A. (Oakville South L)
 Charlton, Brian A. (Hamilton Mountain NDP)
 Chiarelli, Robert (Ottawa West L)
 Cleary, John C. (Cornwall L)
 Collins, Shirley (Wentworth East L)
 Conway, Hon. Sean G., Minister of Mines (Renfrew North L)
 Cooke, David R. (Kitchener L)
 Cooke, David S. (Windsor-Riverside NDP)
 Cordiano, Joseph (Lawrence L)
 Cousens, W. Donald (Markham PC)
 Cunningham, Dianne E. (London North PC)
 Cureatz, Sam L. (Durham East PC)
 Curling, Hon. Alvin, Minister of Skills Development (Scarborough North L)
 Daigeler, Hans (Nepean L)
 Dietsch, Michael M. (St. Catharines-Brock L)
 Eakins, Hon. John F., Minister of Municipal Affairs (Victoria-Haliburton L)
 Edighoffer, Hon. Hugh A., Speaker (Perth L)
 Elliot, R. Walter (Halton North L)
 Elston, Hon. Murray J., Chairman of the Management Board of Cabinet (Bruce L)
 Epp, Herbert A. (Waterloo North L)
 Eves, Ernie L. (Parry Sound PC)
 Farnan, Michael (Cambridge NDP)
 Faubert, Frank (Scarborough-Ellesmere L)
 Fawcett, Joan M. (Northumberland L)
 Ferraro, Rick E. (Guelph L)
 Fleet, David (High Park-Swansea L)</p> | <p>Fontaine, Hon. René, Minister of Northern Development (Cochrane North L)
 Fulton, Hon. Ed, Minister of Transportation (Scarborough East L)
 Furlong, Allan W. (Durham Centre L)
 Grandmaitre, Hon. Bernard C., Minister of Revenue (Ottawa East L)
 Grier, Ruth A. (Etobicoke-Lakeshore NDP)
 Haggerty, Ray (Niagara South L)
 Hampton, Howard (Rainy River NDP)
 Harris, Michael D. (Nipissing PC)
 Hart, Christine E. (York East L)
 Henderson, D. James (Etobicoke-Humber L)
 Hošek, Hon. Chaviva, Minister of Housing (Oakwood L)
 Jackson, Cameron (Burlington South PC)
 Johnson, Jack (Wellington PC)
 Johnston, Richard F. (Scarborough West NDP)
 Kanter, Ron (St. Andrew-St. Patrick L)
 Kerrio, Hon. Vincent G., Minister of Natural Resources (Niagara Falls L)
 Keyes, Kenneth A. (Kingston and The Islands L)
 Kozyra, Taras B. (Port Arthur L)
 Kwinter, Hon. Monte, Minister of Industry, Trade and Technology (Wilson Heights L)
 Laughren, Floyd (Nickel Belt NDP)
 LeBourdais, Linda (Etobicoke West L)
 Leone, Laureano (Downsview L)
 Lipsett, Ron (Grey L)
 Lupusella, Tony (Dovercourt L)
 MacDonald, Keith (Prince Edward-Lennox L)
 Mackenzie, Bob (Hamilton East NDP)
 Mahoney, Steven W. (Mississauga West L)
 Mancini, Hon. Remo, Minister without Portfolio (Essex South L)
 Marland, Margaret (Mississauga South PC)
 Martel, Shelley (Sudbury East NDP)
 Matrundola, Gino (Willowdale L)
 McCague, George R. (Simcoe West PC)
 McClelland, Carman (Brampton North L)
 McGuigan, James F. (Essex-Kent L)
 McGuinty, Dalton J. (Ottawa South L)
 McLean, Allan K. (Simcoe East PC)
 McLeod, Hon. Lyn, Minister of Colleges and Universities (Fort William L)
 Miclash, Frank (Kenora L)
 Miller, Gordon I. (Norfolk L)</p> |
|--|--|

Morin, Gilles E. (Carleton East L)
 Morin-Strom, Karl E. (Sault Ste. Marie NDP)
 Neumann, David E. (Brantford L)
 Nicholas, Cindy (Scarborough Centre L)
 Nixon, J. Bradford (York Mills L)
Nixon, Hon. Robert F., Deputy Premier,
 Treasurer of Ontario and Minister of Economics
 and Minister of Financial Institutions
 (Brant-Haldimand L)
Oddie Munro, Hon. Lily, Minister of Culture
 and Communications (Hamilton Centre L)
 Offer, Steven (Mississauga North L)
O'Neil, Hon. Hugh P., Minister of Tourism and
 Recreation (Quinte L)
 O'Neill, Yvonne (Ottawa-Rideau L)
 Owen, Bruce (Simcoe Centre L)
Patten, Hon. Richard, Minister of Government
 Services (Ottawa Centre L)
 Pelissero, Harry E. (Lincoln L)
Peterson, Hon. David R., Premier and President
 of the Council and Minister of Inter-
 governmental Affairs (London Centre L)
 Philip, Ed (Etobicoke-Rexdale NDP)
Phillips, Hon. Gerry, Minister of Citizenship
 (Scarborough-Agincourt L)
 Poirier, Jean, Deputy Speaker and Chairman of
 the Committees of the Whole House (Prescott
 and Russell L)
 Pollock, Jim (Hastings-Peterborough PC)
 Polsinelli, Claudio (Yorkview L)
 Poole, Dianne (Eglinton L)
 Pope, Alan W. (Cochrane South PC)
 Pouliot, Gilles (Lake Nipigon NDP)
 Rae, Bob (York South NDP)
Ramsay, Hon. David, Minister of Correctional
 Services (Timiskaming L)
 Ray, Michael C. (Windsor-Walkerville L)
 Reville, David (Riverdale NDP)
 Reycraft, Douglas R. (Middlesex L)
Riddell, Hon. Jack, Minister of Agriculture and
 Food (Huron L)

Roberts, Marietta L. D., Deputy Chairman of the
 Committees of the Whole House (Elgin L)
 Runciman, Robert W. (Leeds-Grenville PC)
 Ruprecht, Tony (Parkdale L)
Scott, Hon. Ian G., Attorney General
 (St. George-St. David L)
 Smith, David W. (Lambton L)
Smith, Hon. E. Joan, Solicitor General
 (London South L)
 Sola, John (Mississauga East L)
Sorbara, Hon. Gregory S., Minister of Labour
 (York Centre L)
 South, Larry (Frontenac-Addington L)
 Sterling, Norman W. (Carleton PC)
 Stoner, Norah (Durham West L)
 Sullivan, Barbara (Halton Centre L)
 Swart, Mel (Welland-Thorold NDP)
Sweeney, Hon. John, Minister of Community
 and Social Services (Kitchener-Wilmot L)
 Tatham, Charlie (Oxford L)
 Velshi, Murad (Don Mills L)
 Villeneuve, Noble (Stormont, Dundas and Glen-
 garry PC)
Ward, Hon. Christopher C., Minister of
 Education (Wentworth North L)
 Wildman, Bud (Algoma NDP)
Wilson, Hon. Mavis, Minister without Portfolio
 (Dufferin-Peel L)
 Wiseman, Douglas J. (Lanark-Renfrew PC)
Wong, Hon. Robert C., Minister of Energy
 (Fort York L)
Wrye, Hon. William, Minister of Consumer and
 Commercial Relations (Windsor-Sandwich L)

*The alphabetical list of members appears in each issue. Lists of the members of the executive council, parliamentary assistants and members of committees, brought up to date as necessary, are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

CONTENTS

Tuesday, June 21, 1988

Members' statements

Massey Combines Corp., Mr. Mackenzie	4563
Environment and economy, Mrs. Marland	4563
Sexual assault, Mr. D. R. Cooke	4563
Native land claim, Mr. Wildman	4564
Burlington International Games, Mr. Jackson	4564
Tent caterpillars, Mr. Black	4564
Antique Boat Show for Ontario, Mr. McLean	4565

Oral questions

Community health services, Mr. Reville, Hon. Mrs. Caplan	4565
Hospital funding, Mr. Brandt, Hon. Mrs. Caplan	4567
Teachers' superannuation fund, Mr. Harris, Hon. R. F. Nixon	4568
Temagami district resources, Mr. Wildman, Hon. Mr. Kerrio	4569
Vaughan Glen Hospital, Mr. Eves, Hon. Mrs. Caplan	4569
Seasonal and part-time employment, Mr. Daigeler, Hon. Mr. Sorbara	4570
Labour dispute, Mr. Mackenzie, Hon. Mr. Sorbara, Mr. Charlton	4571
Child abuse, Mrs. Cunningham, Hon. Mr. Sweeney	4571
Abuse of the elderly, Mr. Chiarelli, Hon. Mrs. Wilson	4572
Education funding, Mr. D. S. Cooke, Hon. Mr. Ward	4573
Rental accommodation, Mr. Cousens, Hon. Ms. Hošek	4573
Massey Combines Corp., Mr. Neumann, Hon. R. F. Nixon	4574
Foster care, Mr. Allen, Hon. Mr. Sweeney	4574
Police pursuits, Mr. Cureatz, Hon. Mrs. Smith	4575

Petitions

Temagami district resources, Mr. Pouliot, tabled	4576
Sexual assault, Mr. D. R. Cooke, tabled	4577
Retail store hours, Miss Martel, tabled	4577

First reading/Première lecture

Ministry of Financial Institutions Act, Bill 163, Hon. R. F. Nixon, agreed to	4577
Loi sur le ministère des Institutions financières, projet de loi 163, l'hon. R. F. Nixon, adoption du projet de loi en première lecture	4577

Second reading

Environment Statute Law Amendment Act, Bill 148, Hon. Mr. Bradley, Mrs. Grier, Ms. Hart, Mrs. Marland, agreed to	4577
---	------

Committee of the whole House/Comité plénier

Environment Statute Law Amendment Act, Bill 148, Hon. Mr. Bradley, Mrs. Grier, Ms. Hart, Mrs. Marland, progress reported	4579
Loi modifiant des lois concernant l'environnement, projet de loi 148, l'hon. M. Bradley, M. Pouliot, ajournement de l'étude des crédits	4579

Second readings

Gasoline Handling Amendment Act , Bill 133, Hon. Mr. Wrye, Mr. Swart, agreed to . . .	4593
Prepaid Services Act , Bill 26, Hon. Mr. Wrye, Mr. Swart, agreed to	4594

Committee of the whole House

Prepaid Services Act , Bill 26, Hon. Mr. Wrye, Mr. Swart, Mr. Runciman, Mr. Wildman, reported	4596
--	------

Second reading

Consumer Reporting Amendment Act , Bill 52, Hon. Mr. Wrye, Mr. Swart, agreed to . .	4602
--	------

Committee of the whole House

Environment Statute Law Amendment Act , Bill 148, Hon. Mr. Bradley, reported	4603
---	------

Other business

Estimates , Hon. Mr. Elston, Mr. Speaker	4563
CFTO labour dispute , Mr. Reville, Mr. Speaker	4576
Temagami district resources , Mr. Pope, Mr. Speaker	4576
Conduct in Speaker's gallery , Mr. Breaugh, Mr. Speaker	4576
Home care , Mr. McCague, Mr. Speaker	4576
Business of the House , Hon. Mr. Conway	4603
Adjournment	4603
Alphabetical list of members	4604



CA2011
X1
-D23

No. 84

Hansard

Official Report of Debates

Legislative Assembly of Ontario

First Session, 34th Parliament

Wednesday, June 22, 1988

Speaker: Honourable Hugh A. Edighoffer

Clerk of the House: Claude L. DesRosiers

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$16.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday, June 22, 1988

The House met at 1:30 p.m.

Prayers.

L'hon. M. Grandmaître: Monsieur le Président, j'aimerais demander l'assentiment unanime de l'Assemblée pour faire une déclaration relative à la Saint-Jean-Baptiste.

Accordé.

LA FÊTE DE LA SAINT-JEAN-BAPTISTE

L'hon. M. Grandmaître: Merci, Monsieur le Président. Je voudrais souligner le fait que tous les francophones du pays célébreront, le vendredi 24 juin, la Saint-Jean-Baptiste.

Cette fête a beaucoup évolué au fil des ans. Ici en Ontario surtout, de plus en plus de communautés francophones organiseront des soirées populaires et allumeront le feu traditionnel de la Saint-Jean, le feu de joie et d'amitié.

Oui, nous sommes heureux cette année, car, depuis l'adoption de la Loi 8 sur les services en français de 1986, nous travaillons avec acharnement au développement de services gouvernementaux offerts en français. Je suis heureux de constater que plusieurs ministères ont déjà mis en oeuvre des services en français destinés à leur clientèle dans les régions désignées.

Les francophones de l'Ontario ont confiance dans l'avenir et assument de plus en plus la place qui leur revient dans la société ontarienne. Ce mouvement s'inscrit dans une démarche qui allie la fraternité et la collaboration. Tous les Ontariens peuvent être très fiers de vivre en Ontario.

Merci bien, Monsieur le Président.

Mlle Martel: Nous profitons de l'occasion, aujourd'hui, pour adresser à tous les Canadiens français nos souhaits de bonne fête de la Saint-Jean-Baptiste.

Nous savons que c'est vendredi la fête nationale des Canadiens d'origine française, et plusieurs activités populaires sont planifiées dans toutes les régions de l'Ontario pour célébrer la journée.

La fête sert aussi à démontrer le dynamisme d'esprit et la vitalité de la communauté francophone en Ontario. Je voudrais souligner en particulier la grande contribution des Franco-Ontariens et Franco-Ontariennes qui ont combattu pour la protection de la langue et de la

culture françaises en Ontario. Il y a eu des difficultés, bien sûr, mais grâce aux efforts des leaders de la communauté francophone, grâce à tous ceux qui ont lutté pour garder le français dans leur famille, dans leur ville et dans leur vie quotidienne, grâce à leur fierté et à leur ténacité, ils ont travaillé fort et continuellement pour mettre sur pied des écoles et des organismes linguistiques et culturels.

J'aimerais profiter de cette occasion aussi pour féliciter tous les Ontariens et Ontariennes pour leur progrès. Ce n'est pas souvent que nous avons l'occasion de célébrer nos succès. Je suis fière des changements d'attitude qui ont été évidents partout dans la province au cours des dernières années en ce qui concerne les droits des Franco-Ontariens.

Il reste beaucoup à faire. De notre part, nous espérons que le français sera bien accepté partout. Nous espérons que dans les années à venir, les francophones auront enfin la possibilité de vivre leur vie quotidienne en français. Je contemple l'avenir avec confiance et je prévois le jour où nous pourrons tous accepter et partager le riche patrimoine culturel et linguistique des francophones de l'Ontario et partout au Canada.

En attendant, fêtons ce jour spécial, un jour de fierté et de célébration pour tous les francophones de l'Ontario et des autres provinces. Bonne fête!

M. Pope: Au nom de M. Brandt, le chef de notre parti, ainsi que de tous les membres de notre caucus, j'aimerais appuyer les paroles du ministre délégué aux Affaires francophones (M. Grandmaître) au sujet de la fête de la Saint-Jean-Baptiste.

C'est vraiment une fête non seulement pour les gens du Québec mais également pour toute la province de l'Ontario et tous les francophones du Canada. Il faut souligner aussi les contributions que les francophones ont faites, dans chaque région de l'Ontario, à notre vie culturelle et économique. Je sais, en tant que député de Cochrane-Sud, que les communautés francophones de Timmins, de Black River-Matheson et d'Iroquois Falls ont contribué grandement à la vie de notre province depuis quelques décennies.

Il faut souligner aujourd'hui les contributions de toute la francophonie de l'Ontario, et nous

sommes très fiers d'appuyer les commentaires du ministre délégué aux Affaires francophones concernant la fête de la Saint-Jean-Baptiste.

Alors, bonne fête à tous les francophones.

ACCESS TO INFORMATION

Mr. Speaker: Just before I call for members' statements, last Thursday the member for Nipissing (Mr. Harris) raised a point of order regarding the application of standing order 88(d), which reads as follows: "The minister shall answer such written questions within 14 days unless he indicates that he requires more time because the answer will be costly or time-consuming or that he declines to answer, in which case a notation shall be made on the Orders and Notices paper following the question indicating that the minister has made an interim answer, the approximate date that the information will be available, or that he has declined to answer, as the case may be."

This matter has been raised many times in the past. It is not a new matter, but I think it is important to take the time to make a definitive ruling on the point.

Members, I am sure, are aware of the theory behind the right of members to ask questions in the House. Basically, they can ask questions of ministers on any matter that affects that minister's administrative responsibility. In the case of an oral question, there is no procedural obligation on the part of the minister to reply. However, in the case of a written question, such a procedural obligation does exist, according to standing order 88(d).

I, therefore, must find that the honourable member for Nipissing has raised a valid point of order, and I strongly recommend that ministers abide by standing order 88(d) and reply to the House within 14 days.

MEMBERS' STATEMENTS

AFFORDABLE HOUSING

Mr. Breagh: This Saturday afternoon in Oshawa, the Maple Glen Housing Co-operative will officially open its project. This is one of our smaller housing co-ops, but one of our nicer ones, I might add. It consists of 15 two-bedroom, 22 three-bedroom and 3 four-bedroom townhouses.

1340

We had invited the Minister of Housing (Ms. Hošek) to attend. I understand she will be busy elsewhere on that day, but I really would like the minister to attend one of these functions in Oshawa. We will show her a half-dozen other

co-op housing projects in Oshawa, put together by a range of people in our community, from Gary Kent, who has co-ordinated a lot of the co-op housing in our area, to a fellow by the name of Lucas Peacock. Some might consider Lucas Peacock to be a senior citizen, until they meet him and he runs all over their head. He is full of very good ideas.

I want to warn the minister that before she comes to Oshawa and meets people like Gary Kent and Lucas Peacock, she should load up her purse and have Sam Bornstein carry an extra one with him, because she is going to need a lot of money to fulfil the needs of these people, who are very anxious that they help themselves in providing what is now a great tradition in Oshawa; from people who need some kind of assistance with their housing, to people who are ordinary Canadians, who just need a chance to get into good housing, to our senior citizens, who are fighting very hard to provide decent housing for themselves.

The minister will see a wide variety of good innovative ideas and a lot of very energetic people. What they could use from the minister and from our federal government is just a little bit of help.

TORONTO ECONOMIC SUMMIT

Mr. McCague: For the past five days the city of Toronto and the people of Ontario have been host to the leaders of the Group of Seven. The co-operation and effort by all levels of government and numerous private organizations smoothly resolved the immense logistical difficulties. The combination of efficiency by the summit organizers and disciplined politeness by the summit security officials kept the attention of over 3,000 world journalists on the leaders and our province, where it belonged.

The success of the summit was due in large part to the professionalism displayed by all the members of the summit security staff. I am sure all parties of this House will join in commending the Metro Toronto Police, the Ontario Provincial Police and the Royal Canadian Mounted Police for their excellent work.

While ensuring the continued safety of all members of the summit, they maintained as low as presence as possible. When there was an illegal march down University Avenue on Sunday, the police maintained a calm discipline which quickly defused the situation. From the initial preparations until after the last of the leaders left Toronto, the summit security forces proved their world-class calibre. We would like

to commend their special efforts and those of all the other organizers. Our city, those involved and all Ontarians can be justifiably proud of the example they have set for all the world.

CARABRAM

Mr. Callahan: It gives me great pleasure to rise before the House today and ask each member to look at his or her desk. They will find an invitation to the kickoff for a multicultural event that takes place in the city of Brampton on July 8, 9 and 10. The invitation, which has been extended to each and every one of the members, is clear and is set out in the brochure. It is inviting members to meet with us on June 27 between 5:30 and 7 p.m. They will have an opportunity to see many of our pavilion people dressed in their costumes. Members will also receive some of the food from the various pavilions and will be able to refresh themselves with beverages.

Carabram started in Brampton in 1983. Between then and 1987, it has gone from 4 to 16 pavilions. This year we have an extra pavilion, an Arabian pavilion. The Italian and Arabian pavilions will entertain all the members if they care to join us on June 27. That perhaps would include belly dancers. I invite members to come.

As for the statistics over the years, we started out with 1,500 people. In the last count of last year's celebration, we had risen to 35,000 people, not only from all over Ontario but also from outside of Canada. I invite members to come. I would read all the names of the pavilions, but six seconds does not allow me to do that and I might fail to recognize one of them. I invite and urge members to come.

SCHOOL ACCOMMODATION

Mr. Mackenzie: At two o'clock today at city hall in Hamilton, the the Minister of Education (Mr. Ward) will be making an announcement as to a settlement, hopefully, of the school transfer issue that has caused an awful lot of agony in our community. We do not want to make too many comments until we see all the details of this transfer, but it is unfortunate that our community has had to go through the agony and controversy that have been involved in this school transfer issue.

We feel the decision originally should have been arrived at by the boards, and now with help it seems that is the case. We do not know whether this would have happened without the arbitrator's decision in the interim and without the decision of the additional financial help that

Toronto received. How much of a factor that has been in the decision, we simply do not know.

Suffice to say that if the boards are in total agreement with the arrangement that has been worked out in the latest rounds of negotiation, we will probably accept it and be happy that we have resolved the decision.

I think there is a lesson here for us in terms of the effort that is put forth in advance of having to go this particular arbitration route. Hopefully, the rest of the province will be spared some of the problems we have had in Hamilton as a result of this.

Mr. Jackson: I would like to comment about the settlement which will be announced in Hamilton in about 15 minutes by the Minister of Education.

I understand the most important cornerstone of this announcement will be that Sir Winston Churchill Secondary School, the fully viable public school in the Board of Education for the City of Hamilton, has been retained by the Hamilton board of education.

I think it is important that it be recorded that it took the combined efforts, the hard work of students, teachers, trustees and politicians on the floor of this Legislature, to get this government to honour its commitment under Bill 30, so that we are now retaining viable schools in Ontario in the public system.

I understand the settlement will result in an expense to the government of several million dollars involving four new schools and also that this settlement will only displace approximately 400 students.

I think it is important to note that when the issue was raised in this House—this government was asked to intervene last year before the acrimony could ensue between young people in the Hamilton district—this government chose not to get involved.

It is unfortunate this has happened and it is unfortunate that the Minister of Education himself has chosen not to come and speak in this House on the subject, but rather to make the announcement which has been known since early this morning.

AIR-INDIA DISASTER

Mr. Velshi: Tomorrow is the third anniversary of the tragic crash of Air-India flight 182 off the east coast of Ireland.

All of us were stunned by the loss of innocent lives; that tragedy was even more profoundly felt with the outrageous deaths of whole families, including children.

I wish to take this opportunity to express on behalf of all members of this Legislature our deepest condolences to the families and friends of all those who lost their lives.

Commemoration services will be taking place across this country and elsewhere throughout the various communities affected by this horrible disaster. Our prayers and our thoughts are with them at this time.

I would like to extend an invitation to all members to attend a commemoration ceremony at 12:30 p.m. tomorrow on the front lawn of this Legislature.

CFTO LABOUR DISPUTE

Mr. Reville: I think it is important for me to draw to the attention of the House the presence again today in the Speaker's gallery of Tim Sheehy from CFTO. He is here with a camera today.

I know the House has been advised by you, Mr. Speaker, that you have an administrative responsibility only for the Speaker's gallery; you allot the camera positions on the request of the press gallery. The House knows the press gallery does not want to connive with this union-busting and is of the view that CFTO scabs should not be in this place. Perhaps we should ask the Minister of Health (Mrs. Caplan) whether she can recommend to the Legislature some kind of treatment for scabs.

TORONTO ECONOMIC SUMMIT

Mr. Cousens: I would like to compliment the federal government for the excellent job it did in promoting through the summit not only our country, but also our great city of Metropolitan Toronto and Toronto itself.

There is no doubt that through the promotion of this city and its beauty, the people and everything that make it a great place to live, it is going to be known more throughout the world because of this summit taking place in our community than would otherwise have been the case.

I am very proud to have seen what they did with this city. They have left no bad tracks. In fact, what they have done is present our city the way it should be to all people.

1350

Mr. Speaker: That completes the allotted time for members' statements.

PROCEDURES IN THE CHAMBER

Mr. Speaker: Just before I call for ministerial statements, I would like to draw to the attention

of the House the fact that one member, during his statement, referred to an item that was placed on all members' desks. I believe we have guidelines for that, and I would suggest that before any members do that, they clear it through the appropriate office.

STATEMENT BY THE MINISTRY MULTICULTURALISM

Hon. Mr. Phillips: We in the Legislature are, of course, all aware that we live in a society that is becoming increasingly more diverse. As a government, we are committed to responding to this diversity so that all of us may benefit from the substantial wealth of cultural, economic and social advantages that it offers us.

As a government, we demonstrated our commitment a year ago, when after extensive consultation with our cultural communities, the then Minister of Citizenship and Culture, the member for Hamilton Centre (Ms. Oddie Munro), proclaimed this government's multiculturalism strategy. Today, I am pleased to report to the House on the achievements of the first year of our strategy and to look ahead to the next year.

The strategy represents a new direction in our thinking about multiculturalism. What it does it to proclaim that multiculturalism is very broad in scope. It embraces all cultural groups, and the commitment to cultural diversity is a government-wide commitment. This is contained in our strategy. While the Ministry of Citizenship will continue to play a crucial role in ensuring the implementation of that strategy, all ministries share in the commitment to the goals of the strategy.

During the first year, we have made substantial progress. It is fair to say that virtually every ministry has initiated significant initiatives in the area of multiculturalism. I might say that we have at least 60 different initiatives that have been undertaken across the government in the first year. All of these reflect the development of a unique partnership between government and the over 100 different cultural groups that we are blessed with in this province.

The benefits that flow from this partnership can be seen in a few examples of some of the initiatives that I would like to share with the House.

One was initiated by the Minister of Education (Mr. Ward), with a policy on race and ethnocultural equality, the goal of which is to ensure that we have an educational system that truly ensures equal educational opportunity for all children. The policy deals with issues such as streaming,

culturally sensitive school curricula and a diverse workforce.

The Minister of Municipal Affairs (Mr. Grandmaître) is preparing, in five languages, a newcomers' guide and video on local government to ensure understanding and to facilitate the access of our multicultural communities to local government; and the ministry's programs anticipate that every citizen, regardless of his background, will feel comfortable and will be allowed to participate fully in our local political system.

We in the Ministry of Citizenship established a very significant task force to review the whole area of certification requirements for Ontario professions and trades in things such as engineering, medicine, welding and masonry.

In addition to the number of ongoing initiatives which we began in our first year, I am very pleased today to announce that we have, in the second year of our strategy, approximately 75 or 76 initiatives. We are funding about 63 of these from a multicultural fund of about \$7.7 million. I would just like to highlight a few of the initiatives, again to give the House some examples of the variety of initiatives that we are undertaking in our multicultural strategy.

The Minister of Housing (Ms. Hošek), for example, will provide interpreter services through community-based groups for use in one-on-one consultations between rent review staff and clients whose first language is neither French nor English.

The Ministry of Education, which is completing its analysis of responses to the report that I mentioned earlier, has appointed Dr. Mavis Burke, a well-known individual, as a special adviser on race relations to the deputy minister. She will assume the lead in preparation of policy development in this area for both the minister and the boards of education.

Of importance in this area, an interministerial committee has been convened to develop a systematic and co-ordinated long-term approach to the delivery of English-as-a-second-language and French-as-a-second-language programs. The Ministry of Education and the Ministry of Colleges and Universities will be participating in this interministerial committee along with staff from my ministry.

Much of the credit for the achievements of the first year of our multiculturalism strategy is due to the contribution of the cultural communities themselves. Frankly, it was their valuable input that helped to shape the strategy, and it will be their ongoing efforts that guarantee for us its success in the future.

In our multicultural society, we are all now mainstream. Any true partnership assumes two or more equally contributing individuals or groups, but in order to contribute each must be given an equal opportunity to participate.

On behalf of the government of Ontario, I thank the members of our cultural communities for joining us in a partnership, and I reaffirm our ongoing commitment to ensuring their continuing participation, as individuals and as communities, in the development of a dynamic multicultural society here in our province.

RESPONSES

MULTICULTURALISM

Miss Martel: Very briefly, I want to respond to the statement made by the Minister of Citizenship (Mr. Phillips). I want to commend the minister on the work that he has been responsible for completing in this last year. Certainly, we on this side of the House and in this party would agree with the initiatives that are being taken to respond to the multicultural communities in this province.

The multicultural communities are an extremely important part of our history, the history of this province and indeed of this country. They bring to our culture a broad range of perspectives, history, communication and culture that otherwise we might not have if we lived south of the border. I want to say, in reviewing quickly what the minister has had to say and the initiatives he has outlined, we have a long way to go but it seems the government is beginning to move in the right direction.

If I may, concerning the Ministry of Citizenship's establishing a task force to review certification requirements for entering Ontario professions and trades such as engineering, medicine, welding and masonry, I would just like to make the point at this time that I hope the task force is looking seriously at the certification requirements for those in the medical profession and those foreign-trained medical professionals who would like to enter and practise in this province. Indeed, many of them are already located here and have experienced tremendous difficulties in trying to get certification or any type of lab openings in order to actually practise in this province.

As one of the northern members who travelled on the northern health tour, I must say I was surprised that the three doctors who visited us in Fort Frances said that in fact the only solution to the lack of doctors in northern Ontario was that this government was going to have to allow

foreign medical professionals to come to this province and actually work in northern Ontario and that the criteria for them to practise would have to be loosened, because in the view of the three doctors who met with us, there was no other way we were going to have enough professionals to serve the needs of those in northern communities.

I certainly hope that in this particular regard the ministry is taking a serious look at the needs of the medical profession and also of the other people in professions and trades we require in this province, needs we are not meeting, so that we can provide better services indeed to all of the people in Ontario.

Mr. Breagh: In response to the minister's statement on multiculturalism, we all support the concepts there. I just want to make a brief pitch today on the problem that the government has in responding—in part understandable, because there are now several ministries trying to participate in this discussion—to even simple ideas that attempt to address the needs of people who have some difficulty in formal English or formal French, whose native language is something other than those two and who propose ideas to the government.

For example, last year an idea was submitted, I believe to the then Minister of Citizenship and Culture, for a simple audio-tape scheme that would advise people in their own native language on how to get involved in the enumeration process. That is, I think, a workable idea put together for an agency of the government, which I hope is thoughtfully reviewing that, but in a year's time the government has been unable to respond.

1400

I would make a simple plea to the minister today. While he is announcing large amounts of money and the activities of a great many ministries, he should somehow take the time to listen to people who have themselves good ideas to help them become an important part of this country. He should take the time not only to listen to what they have to say but to implement the ideas they have; they may not be as expensive and as grandiose as the thoughts of those within the ministries, but I assure him they are every bit as important to them and therefore to us.

Mr. Brandt: I too would like to join in the congratulations that have been extended to the minister with respect to the initiatives he is taking in what I and my party consider to be an extremely important program.

I would like to indicate to the minister that I do have some concerns. Perhaps they are just in terms of nuance relative to the release, but one of those concerns is with respect to the certification of both professionals and tradespeople. I say very seriously that I have come across far too many cases to believe that this is simply a small problem or an oversight on behalf of some of the officials who are involved in immigration programs.

While it is not the fault of the minister's government but, in fact, the fault of federal immigration authorities, I find that there are misleading statements made when some professionals immigrate into this country. We have found again and again that some people are given the impression that the certification they have received in their home country is adequate. They make arrangements to come to Canada, expecting to do a couple of things that will appropriately recognize their degree, only to run into a tremendous amount of frustration, having made this very real decision to move to a foreign country and then finding out that their degree is of little or limited value to them. That can be very discouraging.

I would like to ask the minister, in the paragraph he has set aside with respect to this particular problem, if, in setting up a task force to look at this issue, he will make sure that he does communicate with the federal government in connection with that particular area of concern.

I would like to compliment the minister as well on the strengthening of the English-as-a-second-language program. The importance of that program, of course, is self-evident. Without the English language being available to many of our immigrants, they will simply not be able to survive in Ontario and Canadian life. I happened to attend a graduating class just last week of this particular program in my own community and I know the tremendous benefits that immigrant families get from it, so I welcome continued initiatives to expand and improve upon that.

Finally, I would like to echo the sentiments of my colleague the member for Oshawa (Mr. Breagh) with respect to contributions from outside the government bureaucracy. I believe the ethnic groups themselves in our multicultural community really do have a contribution to make in terms of the direction that certain programs should be going. Quite frankly, I feel that we have a wealth of experience and information we could obtain from those people if we get a two-way dialogue and communication in place, adequate to respond to the needs they identify.

Mrs. Marland: I was particularly interested in this statement, especially where the minister says, "the goal being to create an education system that ensures an equal education opportunity for all children." I would hope that the minister does feel, with the sincerity of his statement, that whatever his ministry might be doing in this area will just be a complement to the very forward-planning legislation the Conservative government introduced in this Legislature in 1982. Certainly, Bill 82 did ensure, for the first time, an equal education opportunity for all children, and I hope what he is doing will be a complement to that.

Whereas the publication of material in five languages is a thrust of this statement, in fact I know that in the government bookstore today there already exist pamphlets in as many as 27 languages, which was also an initiative of our government, and I am glad to see that this government is going to perhaps continue.

To encourage the participation in the local political system of the multicultural groups, I am very proud to say that in Mississauga we have the Peel Multicultural Council, which has just celebrated its 10th anniversary.

Mr. Cousens: It is good to see the positive things that are going on. I wonder if the minister has done anything to analyse some of the problem issues that are still out there. I know there is a problem for many seniors when they want to go to a senior citizens' home. Perhaps there could be a place where Italians could meet with other Italians, or Greeks with other Greeks. Perhaps the minister could look at some of the problems in parts of the city where people need more education on the services that are available.

I think we are doing the right thing; let's continue to do it more effectively.

ORAL QUESTIONS

FOREST MANAGEMENT

Mr. Wildman: I have a question for the Minister of Natural Resources related to the downgrading of the silvicultural program by his ministry. The minister has a lot to say about his commitment to sustained yield and regeneration, but apparently he has no money to back up his words.

Could the minister explain why his ministry spent about \$52 million less last year than the previous year on silvicultural programs in this province, and why this year's estimate is about \$46 million less than was spent two years ago? When is the minister going to put our money

where his mouth is with regard to regeneration in this province?

Hon. Mr. Kerrio: I certainly cannot answer specifically the questions as related to the funding that has been put in there. What I do know is that this ministry and this province planted more trees last year than ever in the history of the province, some 163 million trees.

We are entering into a circumstance where we are doing the kind of preparation, the kind of planting and tending, that is going to guarantee that these trees reach maturity, which is another very important initiative. We have done many things in the whole forestry initiative that are going to take us into the kind of yield that is going to continue to provide the forest products for industry and park lands and all of the other things that they are used for across the province.

As for getting into the specific numbers, of course I do not have them at my fingertips. I am prepared to share them with the member.

Mr. Wildman: Considering the lack of financial commitment by the ministry, I am not surprised that the minister is not aware of the figures. He talks a great deal, again, about how many trees they are planting, but I note that in the forest management agreements' five-year review, published by the ministry just in the last few weeks, there are a couple of rather alarming statements.

For one, Boise Cascade says: "The company is very concerned about the low numbers of nursery stock currently made available for regeneration programs in the Manitou and Seine River forests. These FMAs currently receive sufficient stock to treat only 20 per cent of the area harvested." That is half of what is required.

With regard to Ontario Paper, it states, "The company has accepted what it considers as inferior-quality planting stock during the first five years, because the ministry could not supply additional planting stock as replacement."

If the minister is so concerned about survival of the planting stock, can he explain why he is supplying apparently insufficient amounts of stock and poor-quality stock? Why is he not budgeting more for production and purchase of seedlings in this province?

Hon. Mr. Kerrio: Just to reinforce the comment that I made to the honourable member, I would like to share some numbers with him. In 1984-85, the previous government spent \$25 million on planting and tending.

Mr. Wildman: No, no, we're talking about your government.

Hon. Mr. Kerrio: I listened while he asked the question. It would be nice if he listened while I give him the answer.

In 1984-85, the previous government spent \$25 million on planting and tending. Last year, my ministry spent \$40 million. We have a commitment, and we are keeping it.

Mr. Wildman: This government spent \$132 million on silviculture in 1985, \$171 million in 1986 and \$119 million last year. That is quite a cut.

Is the minister aware that three million so-called surplus seedlings will be dumped this year in northern Ontario because, according to provincial forester Ken Armson, who admits that companies have fallen behind in regeneration, the ministry does not have the funds to purchase them? Does the minister realize that it would cost only \$1 million more to purchase and plant these so-called surplus seedlings, and is he prepared to increase the expenditures by that much if he is not prepared to match totally what he spent two years ago?

1410

Hon. Mr. Kerrio: Some number of years ago the previous government decided it would get nursery stock from private growers, and initially there was a great deal of confusion about what kind of money should be spent on that particular initiative.

In the sense that we are guaranteeing to buy so many trees from those people in the nurseries—and in fact we have paid for trees that withered over the winter; we put up money when we did not get seedlings and we are asking for a certain number to be delivered—if those private growers produce more seedlings I think that is a great thing to be given credit for; but there is no guarantee that the government is going to buy more than the 163 million we can plant. The private companies, if they choose to do business in a private way, are very free to go out and sell those trees to anyone else.

We want to be certain. I want to share this with the member because it is very important. It is not good enough any more to plant a tree; we have to spend the money to tend it and be sure it is free to grow or we have wasted the money in planting it in the first place. I think the member knows that, but he is just playing with numbers. I tell him, we are doing things like never before.

Mr. Wildman: Why did you cut the budget?

Hon. Mr. Kerrio: I'm not. Listen to the answer.

Mr. Speaker: Order. That matter has been dealt with.

RENT REGULATION

Mr. Breaugh: I have a question for the Minister of Housing. The status of rent review at the end of May has now been released. Can the minister explain to us how at the beginning of February there were 23,189 cases before rent review and at the end of May, according to her ministry officials, there were 25,066 cases in front of rent review? What is she doing to screw it up even further than she already has?

Hon. Ms. Hošek: In the last several months we have received thousands of applications for rent review. We have also dealt with thousands of other applications. I want to assure the member that our rate of making decisions in rent review is accelerating, and I expect this to continue.

Mr. Breaugh: I think the tape is available from K-Tel, but the fact is that the whole situation is getting worse instead of better. The minister now has one out of every four apartments in Ontario strung out by a rent review system that clearly does not work and is getting worse. Can she tell us how she can spend so much money and so much staff time and come out with a poorer performance?

Hon. Ms. Hošek: Let me say that no one takes this backlog more seriously than I do, because it disturbs me greatly for tenants to be in the situation they are in—the ones who are under rent review and whose answers we have not yet been able to give them—not knowing what exactly faces them and not being able to plan accordingly.

That is serious and I take it very seriously. That is the reason we have committed resources to solving this problem. That is the reason we are working with the kind of dispatch we are working with. We are accelerating our capacity to make those decisions. Those decisions are happening more quickly; they will happen more quickly. That does not underestimate the seriousness of what this means for tenants who are facing decisions and do not yet have the answers. I take that very seriously.

Mr. Breaugh: I appreciate the minister's concern, and I suppose all those tenants and landlords who are caught in the system do as well. I refer her to a statement she made in here seven months ago. She said on November 9: "I am committed to ensuring that this backlog will be removed as soon as possible and that there will be certainty for tenants and the public."

In light of the fact that the minister's performance has worsened instead of improved, I simply ask her to take her hands off the system and perhaps at least change the system so that we might have a rent review system in Ontario that actually serves its stated purpose instead of confusing everyone about what the process is and instead of one with a backlog that is getting so bad that one in every four apartments, with all of the uncertainty that is involved in that process, is really caught in the mess that is rent review in Ontario.

Hon. Ms. Hošek: The rent review legislation, as the member knows, is a result of our attempts to get tenants and landlords to work together. It seems to me it is very important to say to people that the reason we have this backlog is because we decided to protect all tenants in the province, and I know the member opposite would not want us not to be doing that. It is very important for us to protect all the tenants in the province.

As a result of the legislation, we have an additional 250,000 tenants in this province who are indeed protected by the legislation. We are protecting hundreds of thousands of tenants. We should not overlook the fact that a large number of tenants have also applied for rent rebates. The average rent rebate in this province is now \$900 per tenant. I think that is a very good thing to be doing.

1987 CONSTITUTIONAL ACCORD

Mr. Brandt: My question is for the Premier and it relates to the discussion and debate we will have in this House shortly in connection with the proposed Meech Lake accord. As the Premier is well aware, because of the difficulties that have been announced publicly with respect to two of the provinces, Manitoba and New Brunswick, regardless of what we finally determine is the right course of action in this assembly, the accord will not go ahead without the concurrence of those two provinces.

Will the Premier share with this House any discussion he may have had with either the Premier of New Brunswick or the political leaders of Manitoba, recognizing the minority situation in that province relative to this question, and any help that might be provided to break the logjam?

Hon. Mr. Peterson: I would be very happy to share what I know with my honourable friend in that regard. Yes, indeed, I have talked to a number of people, particularly Premier McKenna, over a period of time. As my honourable friend knows, he was not a signatory

to Meech Lake and he has a number of reservations. Some of those are specific and some of those are general. I was just talking to the Attorney General (Mr. Scott), who was talking to the Attorney General in New Brunswick as well. There were discussions going on at that level.

I say to my honourable friend that I could not tell him now under what terms and conditions New Brunswick would feel comfortable with the Meech Lake accord. They are having hearings in the fall, I understand. There are still two years to go on this matter. If my honourable friend is asking me if there is, shall we say, a breakthrough solution here, I do not see it. There are still two years to go and who knows how Premier McKenna will sense his responsibility over the long term.

I have not talked in detail to Premier Filmon about this. I have talked to the Leader of the Opposition in Manitoba. As the member knows, that party is diametrically opposed to the accord. At the same time, it is not clear at the moment whether, if the Meech Lake accord were put into the Manitoba Legislature, it would pass or not because of the position of the New Democratic Party there.

There is uncertainty there, but I do not think anyone can draw any definite conclusions. I guess that brings us to our own position here in our own province and what is the most provident thing to do, assuming we agree it is in the interest of this country to sign the Meech Lake accord and bring Quebec into the Constitution.

It is my view, and I am happy to share it with my honourable colleague, that the most positive signal we could give to the country would be for us to ratify that—

Mr. Speaker: Order. Supplementary.

Mr. Brandt: Certainly, we share with the Premier the intent and objective of having Quebec become a full working partner in Canada, and that is something our party will work with him co-operatively on, to the extent that we can, in order to see that happens.

Have there been any suggestions from the two provinces I mentioned, New Brunswick and Manitoba, with respect to any kind of a framework relative to either amendments, companion resolutions or any other mechanism that would be somewhat satisfactory or appropriate to them in the context of trying to move this matter further? Has the Premier any indication at all that might be possible?

Hon. Mr. Peterson: The answer to that question is no. I am not in possession of any specific information that would advance the

cause, as my honourable friend suggests, or, I guess, a position that either one of those provinces could or would accept. I am not aware of that, if indeed there is one.

1420

Of course, that raises the immediate question: What about the other provinces that have already signed the Meech Lake accord? Would they accept changes as well? That leads us to the conclusion that unravelling the situation would be extremely difficult.

I think all of us are going to have to work together to try to persuade the other provinces that it is worthwhile to sign this at this time, that the process of constitutional reform has just started and many other things can be dealt with in the future.

I think the signals going forward from this House, in a debate that I hope we will have in the not-too-distant future, will be important, not just for Ontario but indeed for all of Canada.

May I just say one other thing while I am on my feet. Everything I have heard about the committee, as it functions with all members of this House, indicates that it has worked extremely well. It has been very sensibly and very well handled. I just want to take this opportunity to congratulate all the members of this House who have wrestled through that committee with very, very difficult issues, and, I believe, with distinction.

Mr. Brandt: We, too, feel that the committee has contributed very substantially to a positive and I think a very open debate on the question, and we are proud of the representation of our members and all members of this House in terms of the contribution they have made.

The reason I ask my final question, and the reason I raised my first supplementary question, is to find out if there is any common ground that we might share with those provinces. Do we share any common ground relative to some expansion of the position that the Premier put before this House, relative to the specifics of the Meech Lake accord and the limitations on any alterations or any embellishments that might be made, of whatever kind, in order to meet the legitimate concerns—and I say to the Premier, the very legitimate concerns—that some provinces have and some groups have with respect to aboriginal rights, with respect to our native peoples, and with respect to our ethnic groups and women's organizations? All of those groups have raised some legitimate questions in the context of the accord.

In our party, as I am sure is true of the Premier's party, we are struggling to meet some of those concerns, and the Attorney General has attempted to respond to some of them.

What I am asking the Premier is: Is there, in fact, any common ground, any reaching out to those other provinces, prior to us passing the resolution in this House, that might be made in terms of a gesture of nation-building on the part of Ontario that would help to bring them into the accord in a satisfactory manner?

Hon. Mr. Peterson: I appreciate the honourable member's question. I say to him very frankly that I asked myself, and the cabinet mooted at considerable length, the question of when it would be most appropriate to have this discussion in Ontario, or if there was some way we could assist the other provinces with the dilemmas that they have.

I guess, because a number of members of the committees went in with a lot of reservations—my honourable friend will be aware of that; they wrestled through the issues; they heard the delegations; they listened to the Attorney General and his legal interpretation, and they came to their own conclusions—those deliberations themselves, which were seen as fair, open, untruncated and unmanipulated, in themselves created a process that set more people at ease.

I think perhaps if we can share the results of those committee deliberations, and the individual, shall we say, enlightenment—I do not mean it that way—as the members wrestled with those issues and the way that they came to grips to them, it may be helpful to the other provinces.

My own view, as I have said, is that it is important now, in the history of this country, that Ontario, hopefully in a unified way—admittedly, lots of individual members have individual reservations over certain parts; I understand that and I accept that—can come out with a common voice, with all parties and all members saying, "Look, this is a great day for Canada; this is an important thing for Canada," I think, hopefully, that signal coming out of Ontario may assist in breaking the so-called logjam that my friend describes so accurately in this House.

ONTARIO HYDRO

Mr. Runciman: I have a question for the Minister of Energy. As the minister is aware, the Cresap report indicated that Ontario Hydro has approximately 2,400 redundant employees, and, according to the president, 2,000 of those are middle managers.

We have estimated it is costing the consumers of this province at least \$140 million a year in excess costs. The minister has opted to act, since he assumed that portfolio, as a Hydro spokesman rather than as a strong political leader committed to taking some firm and urgent steps to eliminate this massive waste of taxpayers' dollars.

Given the minister's knowledge in respect to the 2,400 redundant employees, can he explain to the House the rationale behind Ontario Hydro's decision to spend \$235 million to construct a building in North York to house the 2,400 redundant employees?

Hon. Mr. Wong: The critic has confused his arguments with many fallacious facts. First of all, there are 700 or fewer managers at Ontario Hydro. Second, the Cresap consulting report did not refer to any figure of 2,400.

As I indicated in the House last week, these specialists, in looking at utilities, indicated that if they had to do a rough guess, an overview, it could be as much as 10 per cent. However, their study has concentrated on one branch, the production branch, where they said it was overstaffed by 450 people; but an overview of the rest of the organization showed there was understaffing in many of the other branches, so the plan was to deploy.

I might finish my answer by saying that if Ontario Hydro is incorrect or wrong, then I would be the first in this House to so state, but if it is correct, then I think those facts should also be enunciated.

Mr. Runciman: The minister's lack of leadership in the face of major, useless cost to the people of this province is quite remarkable. In 1987, the Ontario Energy Board recommended that Ontario Hydro cut \$35 million from its operating, management and administrative costs. We have to assume the minister has been monitoring Hydro's progress on that recommendation. Can he tell us how much of the \$35 million in waste has been cut to date?

Hon. Mr. Wong: With respect to the key question of leadership, I wish to inform the honourable member that we, the government, continually ask Ontario Hydro to look at its productivity and human resources picture. That is why this study was completed, and now we have those results.

Mr. Runciman: One has to wonder what has to happen to get this minister to take a serious initiative to save the taxpayers substantial sums of money. Ontario Hydro has added 450 head office employees since 1985, when this government came into office, people Cresap makes

clear were not needed. Can the minister tell us why these people were hired in the first place and what action he has taken to make sure this kind of feather-bedding does not occur again?

Hon. Mr. Wong: First of all, the growth rate in energy demand was far greater than the growth rate in the employees the honourable member was referring to.

Interjections.

Mr. Speaker: Order.

Hon. Mr. Wong: Second, the extra staff was needed for the Lennox generating station and for the commissioning of one of the nuclear stations.

INTERVENER FUNDING

Mrs. Grier: I have a question for the Attorney General and it concerns the issue of intervener funding. We have been told in this House on countless occasions that the government will soon announce a policy of intervener funding. In fact, just yesterday the parliamentary assistant to the Minister of the Environment, the member for York East (Ms. Hart), refused to accept an amendment of mine to the Environmental Protection Act which dealt with funding because, as she said, the Attorney General and cabinet are preparing a policy on intervener funding.

I can enumerate the number of times I have raised the issue, but I will not bore the minister by doing that. We all know that what the Attorney General wants, the Attorney General gets.

Mr. Speaker: Is that your question?

Mrs. Grier: Can we therefore conclude that the lack of an intervener funding policy means that the Attorney General no longer supports one?

Hon. Mr. Scott: I thank the honourable member for the question, which I propose to have copied to submit to the Treasurer (Mr. R. F. Nixon) in printed form. The matter of intervener funding is before the government and the honourable member's getting warm.

Mrs. Grier: I am not sure if "getting warm" is better than "before the next full moon" or not, but I guess we will take it.

1430

I want to demonstrate to the Attorney General the incredible problems that the lack of an intervener funding policy poses for community groups. The ad hockery they have been subject to is just not working.

I would like to tell the Attorney General, and ask for his response, about the Foundation for Aggregate Studies, which has been representing

a citizen's group concerned about the effects of a proposed gravel pit in Dufferin county. They had extensive correspondence with a number of ministries seeking intervenor funding earlier this year. The Attorney General, to whom they wrote, said they should go to the Minister of Municipal Affairs (Mr. Eakins). The Minister of Municipal Affairs said they should go to the Minister of Natural Resources (Mr. Kerrio) and to the Minister of the Environment (Mr. Bradley). The Minister of the Environment said they should go to the Minister of Municipal Affairs, and the Minister of Natural Resources said he could not help.

How long are groups like this going to have to have bake sales and rummage sales in order to raise the funding they need to adequately represent their concerns?

Hon. Mr. Scott: I do not know why the honourable member, after that catalogue, is asking me the question; it seems to start it all over again.

I am very conscious of the honourable member's concern about this important issue. The government has made extensive intervenor funding available over the past three years on a wide variety of projects, thanks to the intervention of the Minister of the Environment and the Minister of Natural Resources—

Hon. R. F. Nixon: And?

Hon. Mr. Scott: And the Minister of Energy (Mr. Wong)—

Hon. R. F. Nixon: And?

Hon. Mr. Scott: And the Treasurer—I am still learning my way around here; there are things you have to do and things you have to say and I am learning to do them.

I am very anxious to accommodate the honourable member and to provide her with the response of the government, and if the next full moon is when I believe it is, the announcement will be made before then.

EXTENDED CARE

Mr. Cousens: I have a question for the Minister without Portfolio responsible for senior citizens' affairs. I would like to bring to the attention of the minister a study that was made by the Ontario Medical Association, a survey of nursing homes. Among its findings among 300 different physicians who responded, it came out with the statement that nursing home placements of residents who are there are well placed. It said that approximately two per cent of nursing home

residents could be safely transferred to home care.

This finding is interesting in view of her own ministry's study of residents in which she stated that 55 per cent of residents in nursing homes and homes for the aged could be more appropriately served in community-based programs. I am very concerned about the variance in the findings of these two reports and I ask the minister to comment on this discrepancy.

Hon. Mrs. Wilson: The care requirement study that was released at the end of March was a study that was prepared as one initiative in the development of a new extended care act. The partners to that study were the two care-provider associations, the Ontario Nursing Home Association and the Ontario Association of Non-Profit Homes and Services for Seniors—the homes for the aged group—as well as the Ministry of Health, the Ministry of Community and Social Services and the Office Responsible for Senior Citizens Affairs.

Together, that group agreed on the hiring of an independent consultant. They determined together the appropriate measurement tool that would be used. The study that was released was a result of that consultant's independent study with the partnership of all concerned.

Mr. Cousens: The criteria used in the study from the ministry seem to be very different from the criteria used by the OMA. I am very concerned about the direction her ministry is taking with regard to developing community-based care for seniors and would like to ensure that she is on the right path. All of this undoubtedly will have an impact on the long-awaited extended care legislation.

Given the OMA study, will the minister admit that by excluding the indirect care requirements of these residents, she may indeed be risking appropriate care for our elderly in a community-based setting?

Hon. Mrs. Wilson: The objective of the care requirement study was to determine the direct care requirements. The eligibility criterion for extended care placement refers to direct care, 90 minutes of direct care being the eligibility requirement. Here we are talking about hands-on nursing care, taking blood pressure, administering medication and that sort of thing. Using that criteria, we studied direct care. That is not to say there are not other aspects, such as indirect care, supervision and so on, which make up the total required care of a patient.

To say we have a light care component is true; to say a great number of people, 55 per cent, do

not belong there is actually carrying that too far and is not the case.

HOUSING ON GOVERNMENT LAND

Mr. Ballinger: My question is to the Minister of Housing. Yesterday, there was an article in the Toronto Star which talked about Canada Post Corp. disposing of almost 70 parcels of property in the Metro area. They hope to generate revenue, I think, to the tune of \$155 million by way of auctioning them off to the highest bidder.

Does the minister not think it is a bit ridiculous, considering the unprecedented growth that Toronto has experienced, that they would venture to do this sort of thing?

Hon. Ms. Hošek: I must say I read that article too with a growing dismay. I looked at all the properties that were being listed and I thought to myself what we could do with some of those properties if they were being introduced into the system for affordable housing in the way we are doing with our lands.

What we have done is make sure all our surplus lands will be considered for housing, and those that are appropriate for housing will be used for housing to improve the situation for people in this province. I think it would be very, very helpful, to be very polite about it, if the federal government took exactly the same kind of approach with Canada Post lands and with the other significant lands that are available to it.

Mr. Ballinger: What can the minister do to convince the federal government that it must take some responsibility in this venture to provide affordable housing for the Metro area?

Hon. Ms. Hošek: I think one of the things we can do is lead by example, and I think that is something we are doing.

Mr. Breaugh: We're waiting.

Interjections.

Mr. Speaker: Order.

Hon. Ms. Hošek: I am glad everyone agrees that we are leading very well by example.

I have written a letter to the minister responsible for Canada Mortgage and Housing Corp. indicating my concern about this and asking him to take a leadership role in order to make sure that the land that is available, that is under the control of the federal government, does enter the possibility of being used for housing in Ontario.

The need for housing in Ontario is very great, as every member of this House knows and understands. We have pledged to use our surplus lands to that end. We have pledged to build more than 30,000 housing units, in addition to the ones

we had already planned to build under nonprofit, a total of 55,000 all over the province. We are doing an enormous amount, but we can certainly use the help of the federal government and its recognition that it has a significant role to play in housing and must not abandon this area, as it seems to me to have done in the last number of years.

WORKERS' COMPENSATION

Miss Martel: I have a question of the Minister of Labour. It concerns the role of the Workers' Compensation Appeals Tribunal, as outlined in the proposed Workers' Compensation Board amendments.

There are two specific references to WCAT in the legislation. The first is in section 45, which outlines how a permanent disability pension is awarded and the process of appealing an unfavourable decision. The second reference is in section 54b, which outlines the injured worker's rights to reinstatement and re-employment in the workplace. In both cases, the legislation specifically states there will be no appeals to WCAT allowed; the WCB will have the final say in any disputes which arise out of either section. I would like to ask the minister why WCAT has purposely been left out of the appeals process which is now in place at the board.

Hon. Mr. Sorbara: I think the question the member for Sudbury East raises is a very important one. She is right that in those two specific instances in the bill I introduced in this Legislature two days ago there is no appeal to WCAT.

Hon. R. F. Nixon: A very good bill it was.

Hon. Mr. Sorbara: There are to be no interjections, but the Treasurer interjects that it was a very good bill.

Let me deal with the first one first. The reason there is no appeal for noneconomic loss to the Workers' Compensation Appeals Tribunal is that the determination for noneconomic loss is entirely a clinical, medical matter. Instead of providing that an appeal be made to WCAT, we have built an appeal mechanism right within the statute. We have provided that if the worker is not satisfied with the assessment for noneconomic loss made by the Workers' Compensation Board, then the worker, together with the employer and the board, can choose a new medical doctor to do the assessment, a doctor who is mutually agreeable to all the parties.

On the second point, we have excluded an appeal to WCAT in the area of the obligation of employers to re-employ their injured workers because the time frame for that obligation is set by statute. That is a two-year period. We feel those determinations have to be made quickly so that the injured worker can get back to his pre-injury job.

The member for Sudbury East knows that sometimes an appeal to WCAT takes perhaps a year or even two years to resolve. If we were to provide an appeal, it might well be that the appeal would succeed and the statutory period for re-employment simply expire. That is the reason we have done that.

Miss Martel: Even though there are regulations or time limits under the statutes, the minister will know that is not going to solve the problem of the disputes which are going to arise within the system. WCAT was specifically set up to deal with some of the more ridiculous decisions the WCB made and where there was no recourse to any other independent tribunal. That was the whole point of WCAT.

I would like to point out to the House that as far back as 1980 Professor Weiler stated in his report that there had to be a Workers' Compensation Appeals Tribunal. The standing committee on resources development and this House in 1983 stated that a tripartite committee had to be established because of the decisions that were coming out of the Workers' Compensation Board. That is why, in 1985, this House established WCAT, because the House recognized we had to have an independent body to look at those decisions.

I want to ask the minister why he is now undermining the spirit of that legislation, the spirit of WCAT and the right of workers in this province to appeal.

Hon. Mr. Sorbara: I hope the member for Sudbury East is not inadvertently creating the wrong impression in regard to this bill. The authority and the capacity of the Workers' Compensation Appeals Tribunal are alive and well, its jurisdiction is clear, and the work it is doing resolving very difficult issues is ongoing.

The major part of the new bill deals with a wholly new way of approaching the earnings impairment a worker might suffer as a result of an injury. Those decisions will be appealable, obviously, to WCAT. It is only in two narrow areas, clinical impairment—

Miss Martel: But those are very major areas—

Hon. Mr. Sorbara: The member for Sudbury East is shouting, but I tell her it is only in two

very narrow areas—clinical impairment, which will determine noneconomic loss, and in the obligation of the employers to re-employ—that we have said it is inappropriate to have an appeal to the WCAT.

In the first instance, we have done that because we have built a different appeal mechanism right within the statute, one we think can work effectively. In the second case, we provide no appeal because the time limit is a two-year time limit period for reinstatement, and we think that to have a long appeal mechanism would be inappropriate under those circumstances.

HERITAGE HIGHWAY

Mr. McLean My question is for the Minister of Transportation and Communications. The minister may recall that on a number of occasions I urged him and the Minister of Tourism and Recreation (Mr. O'Neil) to work together to have Highway 93 designated as a heritage highway. During the past three years, I have had a number of constituents and local politicians approach me with the request. I urge the government to designate Highway 93 as a heritage highway.

I had anticipated that the minister would give this serious consideration during 1988 when we were honouring the 100th anniversary of Charles Drury's appointment as Ontario's first agriculture minister. I still believe that this highway should be designated a heritage highway and still retain the name of Penetanguishene Road.

What is the stage of this request?

Hon. Mr. Fulton: I am not sure whether that question is for the Minister of Tourism and Recreation, the Minister of Culture and Communications (Ms. Oddie Munro) or myself. We are now the Ministry of Transportation, Ontario.

The question has been before us for review and, as the member would know, in similar situations in other parts of the province we have acceded to the request. If there is merit and substance to it, as the member suggests, I think we will make an announcement to that effect in the near future.

Mr. McLean: The old Penetanguishene Road dates back in history to the early 1800s. Lieutenant Governor John Graves Simcoe explained the need for a connecting military link between York—now Toronto—and Penetanguishene as early as 1793. It was not until 1814 that Penetanguishene Road between Lake Simcoe and Penetanguishene was constructed and had a military base established. This road provided an overland military supply artery to Penetanguish-

ene as well as a communication link to the northwest.

Mr. Speaker: Do you have a question?

Mr. McLean: When will the minister make the designation?

Hon. Mr. Fulton: I appreciated the history lesson. As I indicated in my previous answer, as we have done in Essex county, Prince Edward county and other areas across the province, where it is justified to designate as a heritage highway we will do so. As I said, it is under review and we expect to make an announcement in the very near future.

NUCLEAR SAFETY

Mrs. Stoner: My question is to the Solicitor General. Three developments have recently come to my attention in the area of nuclear emergency planning.

First, the director general of the Atomic Energy Control Board, Zyg Domaratski, stated that Canada is not keeping pace with the United States and Europe in preparations for dealing with severe accidents and emergencies at nuclear power plants. He said other countries appear to put more emphasis on emergency planning and that there is a growing trend to train operators to respond to severe accidents.

Professor Kenneth Hare, in the second incident, has also called on a number of occasions for emergency measures at nuclear plants to be upgraded in Ontario.

Third, the Shoreham nuclear power plant on Long Island is being sold to the state of New York for \$1 and will be demolished, having never been used, because state and local officials felt the emergency planning was unable to evacuate safely 2.5 million people living near that plant.

It is very important to the communities that live around such facilities to know they have the most effective nuclear emergency plans possible. What is the ministry doing to improve nuclear emergency planning?

Hon. Mrs. Smith: I would like to inform the House that I also read the article by Mr. Domaratski and I had my staff phone him and speak to him about his opinion of nuclear safety in this province and what suggestions he had for us in this regard.

It turns out that his concern was largely around the operation of nuclear plants internally rather than externally, which took it outside the realm of my ministry's concern in so far as we are really responsible for emergency plans within the community, not within the plant.

However, since we all have our citizens' welfare as a concern, I am happy to inform the member that he considered that our plans were, generally speaking, very adequate even though we are not as highly concerned about it as they have been in some of the European countries. The fact that we have had a very high opinion of our safety within the plants expressed by the Hare commission itself largely and by the operational safety review team from the international agency in Vienna have tended to make us, one might say, less excitable on this issue.

Mrs. Stoner: The Durham region nuclear emergency planning task force, which I initiated as a member of the council, has met on this topic for two years and has recently had a problem with the lack of attendance at its meetings by a representative from the Solicitor General's ministry.

What is the minister doing to ensure staff involvement on this committee, which is looking at nuclear emergency planning both at Pickering and at Darlington?

Hon. Mrs. Smith: The member will be happy to know that at the last meeting we did have someone in attendance and we certainly hope to continue to have better attendance at that and other meetings.

We have recently been advertising for extra help in our emergency planning department. Up until this time, it has been concentrating primarily on emergency plans, which are in place for both Darlington and Pickering. It has also been supervising emergency evacuations, which it has put on recently in the Windsor area. The time constraint has been a factor at which we are looking. We will have more staff in place and will tighten up all our nuclear safety plans.

1450

HAZARDOUS SPILL

Mr. Morin-Strom: I have a question for the Minister of the Environment, if he could take a seat. The minister is well aware of a serious toxic spill which occurred several years ago in downtown Sault Ste. Marie on the property of the Canadian Pacific Railway and the effects that has had on neighbouring homes in that area. The material, which is the herbicide Spike, has been moving across, leaching through people's property and killing everything in its way. Samples have been found, earlier this year, even in the basements of people's homes.

This has been causing serious health problems for these individuals. The ministry, in the meantime, has been negotiating with CP for a

cleanup. We have had promises of a cleanup for a number of months now. Most recently, in the minister's letter to me earlier this week, the minister says, "March 3, CPR outlined proposed cleanup procedures." The minister surely is well aware that CP's cleanup procedures have not been implemented.

Mr. Speaker: Question.

Mr. Morin-Strom: I would ask the minister, when can the people be assured that their properties and their own homes, their basements, will be cleaned up and this toxic chemical removed?

Hon. Mr. Bradley: I want to share the member's concern about the length of time it has in fact taken on the part of CP to resolve this matter. He would know, as he has shared with members of the House, the fact that one particular couple and others in the area have for some time been drawing to the attention of CP, as has the Ministry of the Environment—CP being under federal jurisdiction only from the transportation point of view—the problems that have been caused.

While it is useful that CP has agreed to build a runoff collection system to prevent further contamination and to remove and replace the soil in the affected properties, what the member and I are looking for is the action, not the promise from the company to do so. I attempted to address that in my correspondence with the member yesterday. He has my assurance that I will continue with vigour to press CP to ensure that this serious matter, and I believe it is a serious matter, is resolved to the satisfaction of the neighbours.

I know the reason was offered that in Sault Ste. Marie particularly they would have to wait until the spring runoff was finished and the frost was out of the ground and things of that nature. All of that is completed now, and it seems to me the company is in a position to move expeditiously.

Mr. Speaker: Thank you.

Hon. Mr. Bradley: I can assure the member that is my goal as well as his.

Mr. Morin-Strom: In his response to me, the minister knows as well that the actions probably cannot be taken legally by his ministry according to his timetable, because more than two years have passed since the offence is alleged to have been committed. As his own statement says, "Therefore, the ministry cannot legally lay charges." The minister's negotiating would appear to have no legal basis.

Is the minister not responsible for the environment of this province and should it not be he

himself who takes responsibility for this cleanup, then pursuing with CPR independently the problem of the cost of the cleanup? Why do the minister and those in government not take the responsibility, go to these properties, clean up the mess, ensure that these people have a clean environment in which they can live, and reduce the kind of health problems they are experiencing within their families?

Hon. Mr. Bradley: The member may have drawn the inference from my communication with him this week that what we are considering at the present time is an order from the Ministry of the Environment for a cleanup. This has been a matter of some legal discussion and a matter of some controversy and dispute between the two.

I think people would recognize, as I and the member do, that in fact the contaminant has come from the Canadian Pacific Railway property on to the property of the residents there. I do not think anybody is quarrelling with that. I do not think even the company is quarrelling with that. What the member and I want to see is a cleanup at the earliest opportunity. If we do not get this response to my latest letter expeditiously, in fact what I will be doing is ordering a cleanup and assigning the cost to CP.

WORKERS' COMPENSATION

Mr. Pope: I have a question for the Minister of Labour. Concerning the claims of widows and children of gold miners who have died from lung cancer in the gold-mining communities across the province, some six weeks ago I asked him to contact the government of Quebec because the Workers' Compensation Board was denying the claims of widows and children of dead gold miners because those miners had spent some time working in Quebec.

Because they had worked in our sister province of Quebec as part of their normal contracting work, they were being denied on the basis of the minister's guidelines. I had no response from him. The claims are still being turned down. Because the board is applying the guidelines as if they were law and statute as opposed to guidelines, will the minister allow and expedite a referral of these kinds of decisions to the Divisional Court of the Supreme Court of Ontario so that the use of these guidelines in the place of statute and law can be challenged in the courts at no expense to the widows and the children involved?

Hon. Mr. Sorbara: The member for Cochrane South did raise this matter with me about six weeks ago. It is my understanding that

officials within the ministry and the board are now in discussions with officials from Quebec. I am not prepared to say at this point that we will allow or provide for an appeal to the Divisional Court. I am not sure his suggestion that guidelines are being enforced as if they were statutes is an accurate one, but I know that he is obviously very sensitive to the widows of those gold miners, as are we.

I want to simply point out to him that the determination made by the board some time ago as to who would be compensated is a very extensive bringing into the system of hundreds of widows and will provide for compensation in the area of some \$30 million. He did raise a good point dealing with certain workers who had worked in Quebec, and we are continuing to look at that issue.

Mr. Pope: Another reason for a referral to the Divisional Court of the way in which these guidelines are being applied in place of the law by the Workers' Compensation Board—and the Workers' Compensation Appeals Tribunal, I might add—is the perfect example of Lionel Roy. After his death, an autopsy was performed by the most eminent lung disease specialist in this province. He found that not only did the man have lung cancer, but that the origin of the lung cancer was in scar tissue surrounding silicotic nodules. The board has turned down the claim of his widow for benefits on the basis of the policy guidelines, contrary to the law.

When there is a recognition that lung cancer is associated with gold-mining, and lung cancer was the cause of death, the law says there should be compensation. It has clearly been established medically that the site of the cancer related to scar tissue around silica nodules. Will the minister refer the use of these guidelines by the board to the Divisional Court so that widows and the children of these dead miners can get some justice?

Hon. Mr. Sorbara: I want to make it clear that in my view the policy guidelines of the board which were put into place after years of study of this issue have brought justice to a group of workers and their widows who, for a long time, have been awaiting justice. The specific case that my friend the member for Cochrane South brings up is one worthy of further investigation and I will ask that be done. But let there be no mistake about it; these are very difficult cases. It is not an easy task to associate the development of a cancer in the lung with any particular place of work or any particular scenario. He knows that the amount of study that has gone into the

guidelines has been exhaustive, very challenging work.

Just by way of his question, I want to point out that in the green paper which our ministry is proposing to do on workers' compensation, we are going to be looking further at this whole question of industrial disease, but I do want to undertake to look at the specific case that my friend raises here today in the House.

1500

LANGUAGE TRAINING

Mr. Faubert: My question is to the Minister of Citizenship. I too, like many members in this House, welcome and compliment the earlier statement to the House on the government's multiculturalism strategy. Flowing from that and through earlier questions to him, I am aware that his ministry has initiated several cultural interpreter services pilot projects and may be expanding these projects in the future. Apart from these projects, what additional assistance does the ministry provide to persons who wish to improve their English-language facility?

Hon. Mr. Phillips: I appreciate the question. As I announced earlier in my statement, and I think several other members commented on it, the importance of our English-as-a-second-language program is in helping people new to this province be at home as quickly as possible.

The Ministry of Education has the prime responsibility for delivering ESL, English-as-a-second-language, or FSL, French-as-a-second-language programs in the schools. However, our ministry does provide about \$2 million to community groups to help them deliver English-as-a-second-language programs and French-as-a-second-language programs. In addition to that, I think the ministry has been a leader—in fact, I know it—in terms of development of ESL learning materials. As well as that, we help to provide training materials for ESL teachers.

Lastly, as I mentioned in my statement earlier, we have a significant working group looking at the whole area of ESL-FSL on a government-wide basis to ensure that we are taking a co-ordinated approach to it for the future.

Mr. Faubert: Some of my constituents who need help in improving their English-language facility just do not have the time to attend classes since, first, they work and, second, they have family-related duties. Will the ministry consider this problem when consulting the agencies that it supports?

Hon. Mr. Phillips: There are really two issues there. One is English as a second language or

French as a second language in the workplace. I am pleased to say that we have had good co-operation with the Ministry of Citizenship, the Ministry of Skills Development and the Ministry of Colleges and Universities in terms of developing programs that can actually be done in the workplace.

Last year, I think there were about 300 different companies that participated in providing ESL-FSL training in the workplace. I think it is an enlightened approach by these companies. Frankly, it is good for them and, obviously, good for the people in them. We have been pleased to be able to participate in that.

The second thing, and the member has touched on an important issue, is particularly ESL-FSL programs for women with young children. That has been probably the weakest part of these programs, and I am pleased to say that both in terms of the ESL-FSL training we do in our Welcome Houses and in the support programs we have provided the community groups, that is an area of focus for us where, in addition to the language training, we are providing child care during that training period. We have been fortunate to locate a lot of community groups prepared to carry out that kind of training. I hope that in both those areas we are responding to the need the member has expressed.

FUNDING OF SOCIAL SERVICE AGENCIES

Mr. Allen: I have a question for the Minister of Community and Social Services with respect to his responses to the Catulpa-Tamarac Child and Family Services situation in the Barrie region. The minister has claimed that he is working at closing the salary gap between institutions and agencies in the social services system, and there is a big gap that remains at Catulpa-Tamarac.

But we see the same thing beginning with a more recently privatized agency like Surrey Place in Toronto, where the equivalent bargaining group in the public service, for example, has just received a 5.2 per cent increase, while Surrey Place, which is 100 per cent funded by the ministry, has received a proposal of only 4.1 per cent.

Will the minister perhaps table with this House a schedule of institutional and agency settlements over the past four years to demonstrate the reliability of his recent statements about closing the gap?

Hon. Mr. Sweeney: I have clearly indicated in the House that the average increases to the agencies across the province have been at the

inflation rate, which is in the neighbourhood of about 4.5 per cent. I also indicated, however, that as we move increasingly to community services rather than institutional services, part of that process has to be closing the gap. That has not begun in the kinds of significant ways I would like to see. I would be prepared to give the member any figures he wants. The average since this government has been in place has been in the neighbourhood of about 4.5 per cent.

Mr. Allen: I appreciate the minister's leaving me time for a supplementary.

Another claim of the minister in those answers, and he repeated it today, has been that all settlements have been in the neighbourhood of inflation-level increases.

If one looks at some recent settlements in ministry-funded agencies, one finds the Kinark Child and Family Services agency in Barrie getting eight per cent, Dawn Patrol group homes in Hamilton getting nine per cent per year in a multi-year contract, Atikokan Association for the Mentally Retarded getting eight per cent, and Sacred Heart Child and Family Services in Scarborough getting 10 per cent. There is in fact an incredible range of salary settlements also between the agencies.

Will the minister lay before this House a detailed plan showing how he proposes to overcome both the gap between salaries in institutions and agencies and the range of incomes between the agencies themselves, so that there is some equity in compensation in comparable specialities out there?

Hon. Mr. Sweeney: When I used the figure 4.5 per cent, that is the total number of dollars we transfer from our ministry to the agency specifically for that purpose. But I have said on numerous occasions in this House that individual agencies can readjust their own internal budgets and use them in different ways. We do not dictate to them.

Therefore it is clear, from the numbers the member has given, that some agencies, depending upon where they are in the salary scale in relationship to other comparable agencies, may feel they have a need to put more money into that particular budget line than somebody else does.

I indicated to the honourable member just a few days ago with respect to day care that there are some day care centres in any community that happen to pay the highest wages in that community. There are others that pay the lowest. The tendency of the lowest is to try to get up closer to the highest. There is a variation in what individual agencies actually pay, but there is

little variation, if any, in what the ministry transfers to the agency.

PETITIONS

TAX INCREASES

Mr. Jackson: I have a petition to the Lieutenant Governor in Council, signed by 2,896 persons from across Ontario, which reads in part as follows:

"We, the undersigned, object to the increase in the Ontario sales tax to eight per cent, which, when applied to consumer services such as cable television and long-distance telephone calls, when added on top of the federal sales tax, has the net effect of a tax increase to Ontario taxpayers of 23 per cent."

Bob Nixon, you have gone too far—and that was not even in there.

TEACHERS' SUPERANNUATION FUND

Mrs. Stoner: I have a petition:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"To amend the Teachers' Superannuation Act, 1983, in order that all teachers who retired prior to May 31, 1982, have their pensions recalculated on the best five years rather than at the present seven or 10 years.

"The proposed amendment would make the five-year criteria applicable to all retired teachers and would eliminate the present inequitable treatment."

Mr. Speaker: I am just waiting. It is difficult to hear some of the petitions. The member for Markham.

RETAIL STORE HOURS

Mr. Cousens: I have a petition for the Lieutenant Governor in Council, signed by 31 persons from the St. Catharines area, which reads in part as follows:

"We therefore call upon Premier David Peterson and his government to pass province-wide legislation rejecting wide-open Sunday shopping and upholding Sunday as our common pause day."

It is beautifully signed, and these people have expressed that view.

I have another petition. This petition is for the Lieutenant Governor in Council, signed by 434 persons from Toronto and southwestern Ontario, which reads in part as follows:

"We are opposed to open Sunday shopping and want to retain a common pause day in Ontario."

Mr. Speaker: I submit this to you in the same spirit as the others.

I have a third petition—

Mr. Speaker: Perhaps the member would just wait. I again ask all members to keep their private conversations very, very low. Thank you.

1510

Mr. Cousens: I have a petition for the Lieutenant Governor in council signed by 27 persons from Oakville and area, which reads in part as follows:

"I believe legislative authority regarding Sunday shopping should be the responsibility of the provincial government. I do not support the extension of Sunday shopping."

I submit that petition.

I have another petition, signed by 57 persons from the Trinity-Elfrida Pastoral Charge of the United Church of Canada in Hannon, Ontario.

Mr. Black: Where is that?

Mr. Cousens: I am not just sure. It reads, in part, as follows:

"We state that we consider legislative authority regarding Sunday shopping should remain the responsibility of the provincial government. We further state that we do not want an extension of Sunday shopping."

I have another petition. This petition is signed by people from St. Andrew's Presbyterian Church in Markham.

Mr. Villeneuve: Where is that?

Mr. Cousens: They have a member who will present theirs, unlike many of those others that I just read, where the members will not present it.

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas Premier David Peterson's proposal for Sunday shopping does not mean more business, but rather the same business spread over seven instead of six days and thereby increasing costs for both retailers and consumers, we request that consideration be given to the views of persons who have signed this petition."

So signed and presented.

Mr. Speaker: That is all?

Mr. Cousens: I will bring some more tomorrow.

NATUROPATHY

Mr. Daigeler: Unfortunately, I have only one petition, but still it is as important as the ones presented by the member for Markham. It is a petition signed by some 40 residents of my area and addressed to the Honourable the Lieutenant

Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas it is my constitutional right to have available and to choose the health care system of my preference;

"And whereas naturopathy has had self-governing status in Ontario for more than 42 years;

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment."

TAX INCREASES

Mr. Villeneuve: I also have a petition for the Lieutenant Governor in Council, signed by 4,096 persons from across Ontario, many of whom are from Local 4444 of the Steelworkers, the office staff of Cold Metal Products, from Burlington and Hamilton. It reads as follows:

"The Ontario budget contains excessive tax increases which are a direct attack on the middle class. We object and demand that you repeal them.

"Along with needless funding to special interest groups, the continual drain on the budget from meaningless studies while asking us to tighten our belts and pay more tax, the government officials, with no remorse, have the gall to ask for a 14 per cent increase in wages. The government's reluctance to impose stiffer taxation laws on large corporations—politicians should receive the same tax treatment that the public receives.

"Mr. Treasurer, Bob Nixon, you have gone too far."

RETAIL STORE HOURS

Mr. Harris: "To the Honourable Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We are opposed to open Sunday shopping and we want to retain a common pause day in Ontario."

The text of the petition goes on to talk about this issue: "Let's not leave this issue up to the municipalities—this is a responsibility of the provincial government."

It is signed by 22 constituents in and around North Bay, some in the great riding of Parry

Sound, one from as far away as Brampton. I was surprised. I too have signed it.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Mr. Fleet from the standing committee on regulations and private bills presented the following report and moved its adoption:

Your committee begs to report the following bills without amendment:

Bill Pr47, An Act respecting The Peterborough Civic Hospital;

Bill Pr58, An Act respecting the City of North York.

Your committee begs to report the following bills as amended:

Bill Pr41, An Act respecting the County of Simcoe;

Bill Pr44, An Act to revive Moravian Temple Corporation;

Bill Pr50, An Act to revive the Gottscheer Relief Association.

Motion agreed to.

COMITÉ PERMANENT DES AFFAIRES SOCIALES

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

M. Adams du Comité permanent des affaires sociales présente le rapport suivant et propose son adoption:

Mr. Adams from the standing committee on social development presented the following report and moved its adoption:

Your committee begs to report the following bill as amended:

Bill 109, An Act to establish a French-language School Board for the Regional Municipality of Ottawa-Carleton.

Projet de loi 109, Loi portant création d'un Conseil scolaire de langue française pour la municipalité régionale d'Ottawa-Carleton.

La motion est adoptée.

Motion agreed to.

Le projet de loi passera à l'étape de troisième lecture.

Bill ordered for third reading.

MOTION

COMMITTEE SITTINGS

Hon. Mr. Conway moved that the standing committee on finance and economic affairs be

authorized to meet following routine proceedings on Monday, June 27, 1988, and on Tuesday, June 28, 1988.

Motion agreed to.

INTRODUCTION OF BILLS

CHANGE OF NAME AMENDMENT ACT

LOI MODIFIANT LA LOI SUR LE CHANGEMENT DE NOM

Mr. Fleet moved first reading of Bill 164, An Act to amend the Change of Name Act, 1986.

M. Fleet propose la première lecture du projet de loi 164, Loi portant modification de la Loi de 1986 sur le changement de nom.

Motion agreed to.

La motion est adoptée.

Mr. Fleet: The Change of Name Act is insulting and demeaning to women and must be changed immediately. The current act forces a woman who changes her name at the time of marriage also to change her original name on her birth certificate. Although an unintended effect, the existing law infers that such a woman loses her identity, as if she were never born with her original family name. It is not just insensitive and unnecessary; it is offensive to the dignity of all women.

Women have justifiably complained about this existing provision. The Minister of Consumer and Commercial Relations (Mr. Wrye) has taken a positive step through administrative policy to include both the original and married names on birth certificates, effective this summer. However, the real solution is to amend the offending legislation.

Mr. Speaker: Thank you. I remind the honourable members that it is possible to make a brief explanation, but this is not the time to debate the bill.

1520

SARNIA KIWANIS FOUNDATION INC. ACT

Mr. Brandt moved first reading of Bill Pr18, An Act respecting the Sarnia Kiwanis Foundation Inc.

Motion agreed to.

Mr. Brandt: Mr. Speaker, by way of a brief—

Mr. Speaker: Order. I remind all members that we do not call for explanations of private bills.

HIGHWAY TRAFFIC AMENDMENT ACT

Mr. Philip moved first reading of Bill 165, An Act to amend the Highway Traffic Act.

Motion agreed to.

Mr. Philip: The purpose of the bill is to ensure that persons are not discriminated against on the basis of religion when, because of their religious observance, they refuse to co-operate with the safety requirement under the act.

HUMAN RIGHTS CODE AMENDMENT ACT

Mr. Philip moved first reading of Bill 166, An Act to amend the Human Rights Code.

Motion agreed to.

Mr. Philip: The purpose of this bill is the same as the last bill I introduced, except that it applies to conditions in the workplace.

ORDERS OF THE DAY

THIRD READING

The following bill was given third reading on motion:

Bill 107, An Act to amend the Child and Family Services Act.

CONSERVATION LAND ACT

Hon. Mr. Kerrio moved second reading of Bill 68, An Act to promote the Conservation of Certain Land.

Hon. Mr. Kerrio: I wonder if we could have a table and some of our people moved up front to be able to respond.

Mr. Speaker: This is second reading.

Hon. Mr. Kerrio: In the event we go to committee of the whole House.

Mr. Speaker: Then you can request that of the committee, yes.

Hon. Mr. Kerrio: The act recognizes the value and contribution of privately owned land for provincial conservation and natural heritage objectives.

The bill provides for the establishment of programs to recognize, encourage and support the stewardship of conservation land. It further sets the stage for the conservation land tax reduction program, which will provide the owners of specific conservation lands with 100 per cent rebates on municipal taxes. These lands will include provincially significant areas of natural and scientific interest, significant wetlands, lands designated as a natural area in the Niagara Escarpment plan, nonrevenue-producing lands belonging to the conservation authorities and other land owned by nonprofit organizations.

In effect, under the tax reduction program that will be established following approval of this

bill, the province is proposing to pay the property tax on certain conservation lands. In the past, the tax system did not recognize conservation lands. It did, however, recognize agricultural and managed forest lands. These lands are already eligible for tax rebates. The conservation land tax reduction program will put conservation land on the same footing as agricultural and managed forest land.

The Ministry of Natural Resources has been working with the Ministry of Municipal Affairs and the Ministry of Revenue on this program. We have pinpointed hundreds of thousands of hectares of provincially significant conservation lands, and their owners are qualified for the tax reduction program.

Following approval of program details, the Ministry of Municipal Affairs will be contacting these land owners to inform them about the new program and their eligibility for a tax rebate. This rebate will apply to taxes that have been paid since January 1, 1987. The established cost of the program will be about \$5 million annually, but the benefits to the natural heritage of Ontario will far exceed this.

Many nonprofit organizations, conservation authorities and private land owners have long recognized the important role private lands play in conservation. They will welcome this bill and the program it helps to create. Along with myself, these groups hope that Bill 68 will be given prompt attention so it can proceed to third reading quickly. Timely attention to the bill will enable us to begin implementing the conservation land tax reduction program by late spring or early summer.

Mr. Wildman: I rise to support the Conservation Land Act, Bill 68, on second reading. Our party will be supporting this because we think it is a step in the right direction. However, there are some flaws in it that I would like to point out.

Basically, most of the target interest groups that are interested in the conservation of wetlands in particular are supportive of this legislation. For instance, the Ontario Federation of Anglers and Hunters has indicated that it believes it is a good first step, but it throws an Aspirin at the land protection problem. It leaves out a lot of significant lands that deserve protection. The next step must be to get public input on more lands that should be included.

The Federation of Ontario Naturalists again says that this is a good program, but the federation people we talked to pointed out, as I indicated when the minister announced this in the House some time ago, that it begs for re-

examination of the Drainage Act with regard to provincial subsidies for farmers who drain wetlands.

The problem that identifies is that all of us in this House have supported the need for farmers to be able to drain lands in order to improve productivity, and in support of that the Ministry of Agriculture and Food has provided, through the municipalities, subsidies under the Drainage Act. Farmers can get up to 75 per cent of the cost of tile drainage paid for through the program. Then, of course, subsequent to the land coming into agricultural production, farmers are eligible for the 100 per cent property tax rebate. So there really is no incentive for farmers not to drain the land under Bill 68, and I am not sure how we deal with that. That is a very difficult problem.

Other groups we talked to, like the Ontario Heritage Foundation, said this bill is a good first step, but they do not think it is going to resolve the whole issue. They believe that the bill must be augmented.

1530

We need to include areas not yet designated by the province as significant. Since all productive forest and farm lands are already covered, it is actually a departure from past policy to include only class 1 to 3 wetlands rather than all wetlands.

The Nature Conservancy of Canada is in support of the bill. I believe the Ontario Federation of Agriculture is also in support of the bill, although I have not had direct conversation with it for some time on this legislation.

I realize that this bill, when it was first proposed by the minister, was to be brought in during the early spring of this year and was to be retroactive. I would hope that is protected.

Hon. Mr. Kerrio: It is.

Mr. Wildman: The minister has indicated it will be.

I have already mentioned the difficulty with regard to farm drainage. This is a discrepancy that has not been addressed adequately by either the Minister of Natural Resources (Mr. Kerrio) or the Minister of Agriculture and Food (Mr. Riddell). It has been argued that a very high proportion of the productive land in Ontario has already been drained and so this might not be as great a problem, particularly in southwestern Ontario, as it might at first appear.

However, I am sure the minister is aware that in eastern Ontario and in northern Ontario there has been far less tile drainage done by farmers in the past and there has not been nearly the proportion of agricultural land drained as is the

case in southwestern Ontario. When we consider we have only about 13 per cent of the wetlands left in southwestern Ontario, I think that if we are to avoid a similar situation in eastern Ontario, something has to be done.

Also, it is interesting that under this bill municipally designated areas are not included. Some of these lands are provincially significant, but they have not apparently been defined as such by the ministry. Environmentally significant areas in regional official plans appear not to qualify under Bill 68, and I think they should. The ESAs are decided upon by the ecological and environmental advisory committees formed at the regional level under the Planning Act. Such committees exist in Waterloo, Halton, Niagara, Hamilton-Wentworth and Ottawa-Carleton, and I do not understand why they have not been included under this legislation.

The scoring system for deciding on class 1 to 3 wetlands is quite subjective, and I think it is a massive task for the ministry to undertake in classifying these wetlands. I have no reason to think it has not been done well, but it would perhaps not have been necessary to go through this whole process if the ministry had been prepared to designate all wetlands, at least in the initial stages, and then move to determine which wetlands might be removed, rather than going the route it has gone.

I also do not think the ministry has given proper attention to other types of naturally significant areas. For instance, the Ontario Federation of Anglers and Hunters has given us two examples of areas that will not but should be protected under this legislation. Deer wintering yards are an example, or muskellunge spawning areas. I do not think, for instance, that a muskellunge spawning area will go very far in the ministry's scoring system, while a unique botanical feature may chalk up enough points to qualify easily. It could be argued that the spawning area would have a much greater impact on the local economy as it affects tourism, for instance, than does a unique botanical area.

I agree with the protection of areas of botanical significance, but I wonder why a similar protection was not given to areas of biological significance, such as a muskellunge spawning area or a deer wintering yard.

In my area, one of the main deer wintering yards is right in the middle of the village of Iron Bridge. It is very nice for all the people, and for the deer, I suspect, that they have such proximity to one another in the wintertime, particularly in the late winter and early spring, but I wonder if

we want to have that kind of situation develop where it could be avoided. We do not really want to have large development taking place in areas where our fauna are wintering.

I also would like to know from the minister, if he could tell us, what kind of public input the ministry had in determining which areas are significant and should be designated. I think probably most Ministry of Natural Resources district officials could rhyme off a dozen or so sites which residents in the area consider significant but which are not covered under this act because of the point system.

In summing up, I will say that while we are in support of the legislation—we certainly are in support of the view that wetlands particularly must be protected in this province in order to ensure that waterfowl and the habitat for them are protected—we support the view that by untaxing, if we want to use that term, these lands we have a chance of encouraging land owners to preserve rather than to fill in on private land.

But I wonder if this is just the first step. Why is it not going to be expanded? Or is it going to be expanded—I hope it is—to include many other significant areas that we would like to preserve? This system might be a way of dealing with it.

In conclusion, I will not repeat my concerns about the agricultural community and its relationship to the preservation of wetlands. I do not think this bill is going to deal with that very well in eastern Ontario and in some parts of the north, because the farmer, for very good reasons, will want to drain his land and is probably eligible for the subsidy under the Drainage Act and then will still be able to get a 100 per cent rebate on his taxes if the land is productive agricultural land.

With that, I will say that our party will be supporting the legislation on second reading. We think it is a good first step, but that is how we view it: a first step. I would hope the government will be moving to expand the legislation and to deal with the particular problems I have mentioned.

Hon. Mr. Kerrio: If I could wait to respond, there are other members who want to put something on the record.

Ms. Bryden: I support the statement of the member for Algoma (Mr. Wildman). I have been interested in the wetlands problem for many years, not only the wetlands in other parts of the province but also the one on the Leslie Street Spit, which needs developing in order to preserve our own natural wilderness in the municipality of Metropolitan Toronto.

I agree with the member for Algoma that it is only a first step and that we do need a much more active wetlands policy if we are going to preserve the habitats for our flora and fauna, and particularly for our wildlife, and if we are going to preserve the land and prevent it from being eroded. That is what is part of the reason for wetlands.

1540

Mr. Wildman: I thank my colleague for her comments. That really was the import of what I was saying, that the legislation could have included much more and could have cast its net far wider. I hope the ministry will see this as an ongoing process—and this is just the beginning—as a way of trying to provide incentive to land owners to preserve areas of environmental significance in the province. I reiterate that it could have included some municipally designated areas, and it is unfortunate that apparently it does not.

Mr. Pope: I am pleased to rise and very briefly speak to this bill on second reading and put a couple of concerns on the record. First, our critic, the member for Hastings-Peterborough (Mr. Pollock), could not be here today because of very important, pressing constituency obligations. I know he had studied this matter in some detail and made a presentation to our caucus on this bill. It is regrettable that he cannot be here to share his knowledge of this bill and its principles with the members of the House. In his stead, I will try and put on the record a few of the points we had discussed.

We have—and the member for Hastings-Peterborough has—consulted with a number of groups and individuals across the province, a number of the conservation authorities. Of particular help was Bill Murdoch, the chairman of the Grey Sauble Conservation Authority, and Rodney Saunders in Grey county, president of a very important association there, who had also given advice to us in this matter and generally very supportive comments on this legislative initiative, urging us to expedite its passage with the Minister of Natural Resources.

I know the minister had some fun with this legislation with the other ministries that it impacted on and other ministries having a say about the contents of the bill. I know that from my own experience, and I congratulate him on resolving the issue among the various ministries and bringing it forward as an initiative of this government. It does have widespread support from many groups across the province.

I know as well that the staff who are assisting the minister are very competent and knowledgeable on this matter and on some of the issues that I am going to touch upon. I am sure in committee they will be assisting the minister with some of the questions that they may have heard before.

I take an approach to this bill that is somewhat different from that of my friend the member for Algoma, and that is its impact on private property rights and private land owners in this province. I come from a background of knowledge of some complaints over a period of years from private land owners over what they call expropriation without compensation—I never thought it was that extreme—however, the zoning or designation of lands by conservation authorities or by government ministries, lands that were not within flood plains, as we would understand them, and therefore falling within the precise criteria or definition of the mandate of the conservation authority, as we understand it originally; but areas of environmental sensitivity, areas of natural and scientific interest, those kinds of designations.

An example is the Dundas Valley, where there were complaints from citizens' groups and individuals about the designation of a vast proportion of that valley as environmentally sensitive and the ramifications of that designation on the ability—and the former member from that area, Mr. Cunningham, gave me a good example at one time—the ability of a property owner to excavate in his front yard and place a pond there and his inability to get a building permit or permission from the conservation authority to do that because it had been designated as environmentally sensitive under the plan that was proposed for the Dundas Valley by the Hamilton Region Conservation Authority.

The investigation of that and the ramifications of that policy led the cabinet of the day to delete the “environmentally sensitive” designation from the Hamilton Region Conservation Authority plan. I suspect it may be back in there but I use that as an illustration of some of the background of the concerns of private property owners.

This bill accomplishes something. It removes the financial argument from private property owners about the designation of land without compensation and lands that they are paying taxes on. It removes that argument and therefore it does improve their situation. There is no doubt about it. It does improve their situation. They will now get tax relief for keeping those lands in the state that is deemed to be appropriate or necessary by either conservation authority or by

the Ministry of Natural Resources and that is an important, progressive step in resolving this conflict that all too regularly arises in various regions of the province.

As well, it will remove some of the financial or tax arguments that are advanced and the conflict that occurs from time to time with respect to drainage proposals in eastern Ontario and the conflict between drainage under the Drainage Act and the decisions of the tribunal, chaired by someone from Pembroke, and the concerns of conservationists and wildlife enthusiasts for the protection of fish habitat.

I guess I take a bit of difference with my friend the member for Algoma that I think this legislation will do something towards protecting the fish habitat, the spawning grounds or the spawning beds that exist in many parts of eastern and southwestern Ontario and will remove the tax pressure from a conversion of these significant sites to agricultural purposes.

Therefore, I think it has to be part of an overall picture of trying to resolve, if we ever can, the conflict between private property rights and private property expectations and a more general public need and public demand for environmentally sensitive lands to be preserved, for wetlands to be preserved, for the environment and for the use of all of us as residents of this province.

In general terms, our party is very supportive of this legislation. We know a lot of work went into it. We know the staff has worked hard with a number of interest groups around the province to make sure that it met their needs. I think it goes a long way towards doing that, but maybe in the committee of the whole House the minister can make some statement of policy or indicate where we are headed in resolving the conflict between private property rights and a growing concern of private property owners over unilateral designation of their property when it is not flood plain land, when it is their property and when private property owners feel that they perhaps have as much right to take steps to protect or develop that land as any other land owner in the province.

I would ask the minister to consider those comments when he responds perhaps to second reading or in committee, but it is a step forward and I think we should underline that fact. It is a step forward. It is progress and it is going to help both conservation authorities and naturalist groups in the province and I think it will gain the support of most fish and game clubs across this province as a progressive step in the right direction.

Mr. Wildman: I appreciate the comments made by my friend the member for Cochrane South. Certainly, this is a difficult area when one gets into designation of private land for protection and eliminating the possibility of a private land owner taking steps to develop land, as he or she might wish to do, and those concerns have to be weighed against the overall public good as the member for Cochrane South has indicated.

The import of this legislation, though, is once a designation is made then the private land owner will indeed have some compensation in that they will not have to pay taxes. While it does not resolve the conflict, it does at least give some compensation to the land owners. If they own property that has been designated, they at least will not have to pay property taxes on land they cannot develop and cannot change.

1550

Mr. McLean: I just want to comment briefly on the remarks made by my colleague the member for Cochrane South (Mr. Pope). There were a couple of points there that were not too clear to me when he was discussing the wetlands.

Some of the ministry staff have done studies across the province and have designated wetland areas in municipalities on land that is privately owned, and I would like a clarification from the member or from the minister later on how he is going to handle those designations put on by the ministry staff.

I know of one municipality that is fighting drastically the large area that the ministry designated as wetlands. If they are designated as wetlands, is the municipality going to be able to get a tax rebate on 100 per cent of that property? In lots of cases designation is just a blob on the map and takes in an area not specifically designated.

I would like clarification on whether, for these municipalities that have a large tax base there, there is going to be a deletion of that problem for them.

I wanted to comment on the member's comments and I agree with the remarks he has made. It is legislation that is overdue, and I happen to agree with the content of it, but I just wanted the minister to explain some of the specifics.

Mr. Pope: As a former minister, I think I will leave it to the minister to reply.

Hon. Mr. Kerrio: It is maybe with a little bit of enthusiasm that I rise on a bill that is generally supported, even though there are questions that I shall attempt to deal with. I think the bill in itself

is one that has been readily acclaimed as a step in the right direction.

If I seem to be wandering just a little, it will be to respond in a way to one of the major questions that have been asked as to whether this is the first step. I must say that that is the case. We are looking at other areas within the Ministry of Natural Resources to look at a very good wildlife plan that will take into account some of the things that we do not touch in this particular bill.

When we get into the aspect of this bill, though, the thing I would like to share is that when I first came into the ministry there was an undertaking to do the inventory of wetlands. It may answer as we go along some of the questions that were asked about the specifics of lands within a municipality.

We are primarily concerned here with provincial wetlands. We feel that, within the bounds of the municipality, there is going to have to be a decision made by municipalities while we go out first and identify, outside those bounds, the significant wetlands.

The thing I did ask for early on was a speedup of the process. They were talking some four to five years. I am pleased to say that we have moved that up nearly two years, and here we are with the bill.

When we look at the comments by the member for Algoma and refer specifically to some of them, I have already said it is a first step and that that inventory can be expanded on as we go along.

Agriculture, of course, is one of the areas we were very concerned about. It was to the farmer's advantage to drain these wetlands, because then he could put them to farm use and get full advantage. Now that this has happened, I think the first thing we are doing is encouraging farmers to protect those wetlands where they can do that, and now it is not costly to them. In fact, that is the case with many other areas where they will be encouraged to maintain these wetlands.

There are other interested people who have had contact with our people in the development of the bill: all of the groups that the honourable members have mentioned. I would add something to it that is significant; that is, there has been an initiative by Ducks Unlimited in Ontario to put some \$16 million forward to actually purchase some very valuable wetlands. We are attacking this on a couple of fronts. Where it might be short on some sides, it will be more than made up for on others.

I think the designation of wildlife and fish habitat is going to be coming in with that other

bill, more directly involved, but as the member for Cochrane South has said, there is in fact protection in the bill for some of the spawning grounds and some of those areas of concern.

As I said before, to answer the other question, we feel we might encourage municipalities, where there are wetlands within the bounds of the municipalities, to do something to encourage them until the province can take over fully. We have talked about winter habitat and deer yards. Of course, we are very much concerned that we protect those. Because of very important protection, we are on the upward movement now of getting deer herds back, and the wildlife bill will also address that. I keep mentioning that because we are developing that wildlife bill, which is very important.

As money becomes available, we will expand the program. We are starting out in a little more restrictive way, but it is going to leave us room to move forward. In fact, it is going to acknowledge and will be retroactive to January 1, even though we are discussing and debating the bill.

The wetland inventory will be expanded. The member for Cochrane South had some concern about that one. Of course, we are going to encourage the preservation of a considerable area with the bill and improve on that. We will be working with other agencies and land owners to protect that resource. I feel very strongly this is the initial step. We will be reporting back, maybe in the course of a year, to see where we can and should expand the role of this bill in protection.

At this point, I do not have much else to say. If we take it to committee, we can then get directly involved with some of the questions the honourable members might like to raise.

Motion agreed to.

Bill ordered for committee of the whole House.

Hon. Mr. Conway: Madam Speaker, is it the intention that the next bill will go to committee of the whole as well? The next bill is the pits and quarries bill. Perhaps what we might do, with agreement, is simply to proceed to second reading of that and then move into committee of the whole for both, if that is agreeable.

The Acting Speaker (Miss Roberts): I want to make sure I have the unanimous consent of the whole House to have Bill 68 stood down and put into committee of the whole House with Bill 153.

Agreed to.

PITS AND QUARRIES CONTROL AMENDMENT ACT

Hon. Mr. Kerrio moved second reading of Bill 153, An Act to amend the Pits and Quarries Control Act.

Hon. Mr. Kerrio: The purpose of the amendment is to correct a legal ambiguity in the legislation. The amendment will clearly enable the Minister of Natural Resources to transfer pit and quarry licences between established operators. The amendment will also validate those licences that have already changed hands.

There will not be a change in the way the ministry administers the Pits and Quarries Control Act. The ministry has reissued licences to new owners, provided a new owner adheres to the same site plan terms and conditions as the previous one. The change proposed in this bill has become necessary because of a recent judicial review in the Supreme Court of Ontario involving a ratepayers' group seeking to close a quarry near Orillia.

1600

The court found that the ministry is conforming to the intent of the act and is administering the legislation in the only practical way. Nevertheless, the court found that on a strictly legal interpretation, issuing a licence to a new operator of a licensed pit or quarry does require a public review and an opportunity for a hearing. In the light of the court's strict legal interpretation, the amendment I am introducing is necessary to preserve the status quo in administering the act.

If existing licences are found to be invalid, it could result in the closings of many pits and quarries, causing severe economic repercussions. Approximately one third of all licensed pits and quarries in Ontario—and that is nearly 800—have been relicensed over the years as a result of changes in ownership. The amendment rectifies the legal ambiguity of the act and totally conforms with the intent of the legislation as endorsed by the Supreme Court.

I emphasize that there is no change in the way the ministry administers the Pits and Quarries Control Act, and I hope that the House will consider moving quickly to pass this bill to enable the licensing of pits and quarries to continue in an orderly and satisfactory fashion.

Mr. Wildman: I rise on behalf of our party to indicate some disappointment in the procedure we are involved with here on Bill 153. The reason for the disappointment is that for some years now, as the minister will know, this House has been expecting a major overhaul of the Pits and Quarries Control Act.

Some years ago, we had the introduction, under the previous government, of a bill called the Aggregates Act, which went through extensive committee hearings and extensive amendment. I think there were something like 150

amendments put at that time, both by the ministry and by members of the opposition.

As I recall, the now minister was then a member of the opposition and critic for this area and was involved in that process. When I heard that we were finally going to get a reintroduction of an amendment to the Pits and Quarries Control Act, I thought, "It's finally here," because after that committee finished its work—I cannot remember the number of years now, but it was about 10 years ago—nothing happened. It just disappeared.

The legislation had been amended so extensively that some might have thought the committee had created a monster, which no member of the House, on whatever side, wished to claim responsibility for. So nothing ever happened; the bill just died a quiet death.

I know that the ministry is involved in work towards the introduction of a new Aggregates Act, but it has been a long, ongoing process. When I saw that there was going to be an introduction of an amendment, I thought, "Well, finally." Instead, I had the opportunity to meet with the minister and his staff and was informed that no, this was not the Aggregates Act, the major overhaul of the legislation; this was just a minor amendment to deal with a particular judicial problem.

It is a minor amendment to deal with a judicial problem but, frankly, I do not think that we should be doing it this way. I think we should be incorporating this change in the overhaul of the Aggregates Act. I fail to see why the ministry has moved so quickly here, when it has moved at the speed of granite on the Aggregates Act.

We will not be supporting this legislation. We will be voting against it. I am sure that my arguments will persuade the majority of the House to our position rather than that of the minister.

As the minister indicated, the bill seeks to amend the Pits and Quarries Control Act because of a court ruling on transferability of pit or quarry licences when ownership of a pit or quarry changes hands. It is interesting that the act, as it is currently worded, does in fact say that the transfer of licences is prohibited. That is clear, but in practice the ministry has been routinely transferring them. In effect, the ministry has been breaking the law.

Instead of saying to the ministry staff, "Please obey the law," the minister is saying, "Let's change the law." The Supreme Court of Ontario found that the ministry was not acting in strict compliance with the act. Instead of saying, "OK,

we will comply," the minister is now saying, "Let's have a quickie amendment to formalize the illegal practice we've been following."

I indicated that we will be opposing the legislation on second reading. I do anticipate that it will be defeated on second reading and that we will then have the minister move to an amendment which will in fact overhaul the legislation. I would be prepared to have it introduced on Monday—we are not sitting tomorrow—for a quick and serious debate on second reading next week, then have it go to committee this summer, go through all the amending process we went through before and then, hopefully, have it come into law next fall.

If it happens that this bill does not get defeated on second reading, then we intend to request that it go to committee of the whole House, and I will be introducing two amendments to the legislation.

I am concerned about the transfer of a pit or quarry licence with no reappraisal at all. While I understand that it is unreasonable to expect that there be an opportunity for an Ontario Municipal Board hearing on every transfer of a pit or quarry licence, there is the problem that a number of pits and quarries have been in operation in the province for a long time and there is no guarantee that a new owner is going to be operating a pit or the quarry as the previous owner did.

We do not know that the new owner is going to be as committed to ensuring that he is as a good neighbour as the previous owner and we do not know that he is as committed to the pit or quarry rehabilitation as the previous owner. Just because he is purchasing the licence, purchasing the pit or the quarry, does not mean that he is going to operate in an acceptable manner.

I do agree that it would be unreasonable to expect an OMB hearing every time. Frankly, I think it would be unwieldy and unnecessary to have every relicensing open to a hearing. While we would support the waiving of a hearing provision, I do oppose the provision that there should not be a new site plan. I think that relicensees should be required to file site plans.

Site plans drafted before 1984 are, according to a number of people in the aggregates field, completely inadequate. They are devoid of detail about environmental protection and rehabilitation. Suppose, for instance, that a pit has been licensed for 20 years. The site plan which accompanied that licence is probably outdated. If I took over this pit and had it relicensed under the provisions of the bill as it stands, there would be no requirement for me to have a site plan which

was up to date. I will be moving an amendment that would require them to file a site plan, again without a hearing being required and without the option of going to the Ontario Municipal Board.

1610

There is one thing I do not understand in this legislation as proposed. Subsection 14a(3) states that if a pit has been licensed in the past but has been unlicensed for less than two years, it can be relicensed as proposed in the legislation. I would like to know where this two years came from. Is it just an arbitrary number picked out of the air? It is inconsistent with subsection 20(1) of the act, which give pits in areas of the province which are about to be designated under the act only six months for the licence.

Well, what is good for the goose is good for the gander. If a new designated pit is going to be given six months, then it seems to me that if a pit has been unlicensed, the figure should be six months before a relicense is issued rather than two years. They should comply with one another and we should be consistent in the legislation.

This party has been as consistent as the Conservative Party was in not bringing in an overhaul of the aggregates legislation in the province. I would like to see complete consistency and for those reasons we will be in opposition on second reading. If, by some fluke, the bill passes second reading, I will be requesting that it go to committee of the whole House and I will introduce amendments.

Ms. Bryden: I would certainly concur with what the member for Algoma (Mr. Wildman) said, that this bill is not the Aggregates Act we have been seeking for many years. I was the critic for the Ministry of the Environment, under which this came at that time, about seven or eight years ago. At that time we were asking for an Aggregates Act. There has been no movement since then even though there has been a change of government. We are still waiting for a real Aggregates Act that covers the whole problem.

We do not support this bill because it does not go far enough and it does not require the notification or the updating of the licence. We are not even in favour of the bits and pieces. What we would like is a proper Aggregates Act.

Mr. Pope: Again, this is a piece of legislation which the member for Hastings-Peterborough (Mr. Pollock), our party's critic, presented to our caucus. Wayne Weaver would tell me right about now to support the bill and sit down and if Sherry Yundt were here she would chuckle at the discussions about the Aggregates Act. Sherry used to think it was a life-long sentence.

We do support the bill. We understand that you cannot go through this process every time you transfer ownership. It is unwieldy and unreasonable, I believe. I will leave comments on other legislative initiatives to others, but we support the bill.

Hon. Mr. Kerrio: I certainly was not looking forward to even bringing forward this bill, in the sense that I know the former minister, the member for Cochrane South (Mr. Pope), worked very hard at trying to get that aggregates bill moved forward, and I am not sure there was the kind of support on all sides in order to move it forward. I feel that we do have the support now to move the bill forward and I am going to move that bill as quickly as I can.

But the bill is going to be one that should go out for public scrutiny and even though it seems that we do have the support, in particular, to a rehabilitation to providing money to build roads and all those good things, we seem to have most all of the players on side now; so I wanted to give the member for Algoma my word that we are going to move forward just as quickly as I can. The government House leader, who is going to play an important part in getting that on the table, is here but I am going to move that forward as quickly as I can to address all those other issues. Whatever kind of oversight there was in the former act, this one really needs to be done so that we can continue the business across the province while we introduce and move forward with the new Aggregates Act.

The Acting Speaker (Miss Roberts): Hon. Mr. Kerrio has moved second reading of Bill 153.

Is it the pleasure of the House that the motion carry?

Some hon. members: No.

The Acting Speaker: All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

Bill ordered for committee of the whole House.

House in committee of the whole.

CONSERVATION LAND ACT

Consideration of Bill 68, An Act to promote the Conservation of Certain Land.

Hon. Mr. Kerrio: Could I have some of my staff move down here?

Mr. Chairman: Yes, please. We shall wait for a minute so we can all get installed. We would like at this time to list any amendments or questions and comments people may have on Bill 68.

Mr. Wildman: I have some comments, but no amendments, Mr. Chairman.

Mr. Chairman: Please go ahead.

Mr. Wildman: As was indicated in the comments during the second-reading stage, we had a number of questions with regard to the application of this legislation to other areas that are designated municipally. I do not understand why they might not be included in this legislation. I would like to know the reasoning for that.

I know the minister has said he is going to bring in a new wildlife bill which, among other things, will protect habitat for various species of wildlife. Could he clarify how this legislation will affect spawning beds and what process will be used in order to have a property that various groups think should be designated as an area of natural and scientific interest so designated?

1620

Hon. Mr. Kerrio: I think the one of greatest significance is the spawning beds. I think when we talk of areas of natural and scientific interest in land and water, we are talking about where those areas could very well be designated because of the scientific interest in the reproduction in the spawning beds. I think one of the most significant things we do in getting fish stocks back is to be able to have them regenerate in their own environment, and in many places this is a role that is important.

I imagine we could share that kind of scientific involvement there, but that the wildlife bill would be even more specific. That is the reason I brought it into focus here, because it is being developed right now. I think it would augment the bill, where this one does not in fact cover all of the areas I would like to cover in the science of rearing fish.

Mr. Wildman: Also, the question was raised, by my friend the member for Simcoe East (Mr. McLean), about the effects with regard to municipalities and why some of the areas now designated by municipal bylaw are not included. If they are not included, how might they become included? Could the minister deal with the member's concern about how, if a large area of a rural municipality is designated by the ministry as wetlands that should be preserved, that might affect the municipality's option for development and improved assessment?

Hon. Mr. Kerrio: In explaining the bill and what we were attempting to do, we described it again as a first step. What we were looking at doing was to do the inventory across the province and provincial jurisdiction. I think we would be looking for those other areas where there might be interest and where we might move as a next step, to do as another initiative something about those that are within the bounds of municipalities. I would expand on those where it would be proper to do that, but in the reality the first initiative was to deal with the provincial inventory that we have taken.

Mr. Pope: Maybe to pursue that questioning by my colleague the member for Algoma, when does the minister anticipate the inventory for areas of natural and scientific interest to be completed, what notification will there be of a proposed designation and what rights to object will a private land owner or municipality have?

Will the Ministry of Natural Resources, using the area of natural and scientific designation process, intervene in appeals to the Ontario Municipal Board such as we had in the Ottawa area, with respect to a subdivision development proposed there which contained some rather significant lands of environmental value, and in the London area, where there was a wood in London that was going to be developed by a subdivider and the Ministry of Natural Resources and other environmental groups had a look at it in terms of its environmental importance to the residents of the area? I am sure the member from London South (Mrs. Smith) remembers that controversy about three, four years ago.

When is the inventory going to be completed, what notification will there be and will there have to be notification and formal designation by some process before it triggers the tax rebate or the grants in lieu of taxes? I guess it all folds in that way.

Hon. Mr. Kerrio: As it relates to how it would impact where there might be lands that had been designated and might be brought into some development, that would be appropriate. The only way we are trying to hold them with the designation is having the rebate on the taxes. To that degree we would encourage people to hold lands for the purpose that we are deciding here. That would not necessarily tie those lands up forever, as far as a person who would want to use them for another purpose would be concerned.

The encouragement is there, but I do not think he can take advantage of the situation, because I think the member described it as taking lands over without any kind of monetary help. In this

case, we would not be tying the lands up, but we would be hopeful that we could, for a reasonable length of time, perform that very important task.

Mr. Wildman: In this regard, again, the minister has not indicated when he anticipates the designation to be complete; that is, the work that is being done. Does he see it as an ongoing process?

I understand the minister's point of view that this bill is designed to provide for the rebate. He is not, in this legislation, casting in stone that some piece of land or property is to be protected. But then am I correct in understanding that if a piece of property is designated and somebody wishes to develop it, the process that is now existent for appeals to the Ontario Municipal Board and so on still would carry through?

Hon. Mr. Kerrio: I think that is exactly the way it is. I think the question that was raised as well by the member for Cochrane South (Mr. Pope) is that, while we have the inventory that we are dealing with at this point in time, as we keep going and getting more of those lands designated in the inventory, certainly they would then comply.

Mr. Pope: I would like to ask if the private property owner would have a right to object to any designation, either within a plan filed with the ministry by a conservation authority or a proposed designation of part of his private land as being an area of natural and scientific interest. If he objected to any zoning change to implement that or to any zoning or official plan consequences that might arise from that designation—and there may be some at a future date—would he still qualify for the rebate, even if he won his objection?

Hon. Mr. Kerrio: I have been advised that it does not necessarily have to be used, even though it is designated for that purpose, by the owner. In fact, what we are doing is allowing him to recover the taxes but not inhibiting the use of the land in any way. Of course, if they accept the money, then they have accepted the designation.

Mr. Pope: I guess that is the point we wanted to make sure of. I think it is important that private land owners and those who follow the debates here, the real estate boards and associations in the province, understand that you qualify for the rebate if you agree to the designation, or if the designation is decided upon and your objection to it fails. I think people should understand that they cannot fight the designation and then expect to get the rebate if they win their case. I think that is important.

Hon. Mr. Kerrio: I think we clarified that properly, yes.

Mr. Chairman: Any other questions?

Mr. Pope: I have just one last question, if I might. It is on the whole issue of private property rights. If there is an objection to a designation of lands as being areas of natural and scientific interest, is the policy of the ministry going to be then to withdraw the proposed designation and not force it on private land owners? Or is it going to be the policy of the ministry that, if you object, you may have some sort of hearing process through the OMB or some other mechanism? In other words, is the ministry going to say: "It is an area of natural and scientific interest. Therefore we are going to designate it. You qualify for a rebate. You may object to the OMB or some other vehicle that we decide upon"? Or is the ministry going to pull back and say: "If you do not want it, that is fine. It is not going to be designated and you do not get your rebate"?

1630

Hon. Mr. Kerrio: The way it has been described to me is that in the event we are not going to accept the designation, it would then be put into the normal process of the planning and would go forward on that basis.

Mr. Pope: As I understand it, it would then be subject to the normal appeal processes through municipal councils and through the Ontario Municipal Board. It is the intention of the ministry, therefore, to proceed with the program for designation of areas of natural and scientific interest through conservation authorities or other vehicles and that will have an impact on private land and the tradeoff will be the rebate.

Just one last point and then I will sit down. It may be appropriate for the minister to give some assurances to the conservation authorities that any rebates they receive will not be reflected in the subsequent transfer of funds to the conservation authorities.

Sections 1 to 4, inclusive, agreed to.

Bill ordered to be reported.

PITS AND QUARRIES CONTROL AMENDMENT ACT

Consideration of Bill 153, An Act to amend the Pits and Quarries Control Act.

Mr. Chairman: At this point, I would like to list all the sections to which members would like to bring amendments.

Mr. Wildman: I have an amendment to subsection 1(2) and an amendment to subsection 1(3).

Mr. Chairman: Are there any more sections members would like to see amended? Is that it?

Section 1:

Mr. Chairman: Mr. Wildman moves that subsection 14a(2) of the act, as set out in section 1 of the bill, be struck out and the following substituted therefor:

"(2) Section 5 does not apply to an application for a licence issued under subsection (1)."

Mr. Wildman: I made clear at the second reading stage my concerns in this area. While I realize there is no need for a hearing and an OMB process, I do think it would be reasonable to expect that relicensees should file a site plan. That is the purpose of the amendment and I hope the minister might accept that view.

Hon. Mr. Kerrio: I have some difficulty with this amendment. I am not prepared to accept it because I think it is covered in the sense that subsection 14a(2) deals with site plans. In the process of extraction, if the ministry sees some major changes in the operation, it can upgrade a site plan at any time. If there are any intrusions on people in the area, there would be a demand on the ministry under the existing regulations to ask for the site plan to be upgraded.

The reason we are trying to move forward with this is just to carry it forward on the basis of the former regulations. We are here only because of the circumstance of the courts. We are talking about the same property, the same kind of operation, and the same site plan would apply, with the proviso that they have to upgrade it if we asked them to.

Of course, the whole premise is that with the transfer, the operation is going to be carried on as it was before, with the ministry very closely involved to be certain they comply with the regulations as they exist now. With our new act, that will be improved.

Mr. Wildman: I understand the comments of the minister, but can he assure us that all the pits and quarries in operation in this province have up-to-date site plans?

Hon. Mr. Kerrio: I would not think we could say that. I suggested that where it is appropriate, if there is any question about how a quarry is functioning, the ministry can ask for an upgrading of the plan to make certain it complies with the licence. I would certainly not say that all quarries at this point have an up-to-date plan. It may not be required.

Mr. Wildman: That is exactly my point. I think that if the relicensee is getting a new licence on a transfer, it is a great opportunity for the

ministry to request a new site plan. That is the purpose of my amendment and I am sorry the minister does not see that.

1640

Hon. Mr. Kerrio: I just reiterate that it is our prerogative to ask for a new site plan wherever it is appropriate, and we certainly do.

Mr. Wildman: I do not want to prolong this, but I just want to change it from a prerogative to a requirement.

Mr. Chairman: Are we ready for the vote? Is it the pleasure of the committee that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Mr. Wildman: It would be better to stack it.

Mr. Chairman: Sure, you can stack. Is there unanimous consent to stack?

Some hon. members: Agreed.

Mr. Chairman: At what time, please? At 5:45?

Hon. Mr. Conway: I have no difficulty, but the House leaders would probably want to have a chat at some point. There is the expectation that this is all going to move along with some speed this afternoon.

Mr. Wildman: I am at the disposal of the House. I do not want to hold things up.

Mr. Chairman: The Chairman of the committee is also at the disposal of the House and would sure love to get a very clear signal as to what it would like. Is there unanimous consent to stack at 5:45?

Hon. Mr. Conway: I was not under the impression that there were going to be divisions on this particular matter, and that is the reason for the confusion. There is no difficulty in stacking these votes, but I am sure members will appreciate my concern in this connection. I will agree to stacking. There is no particular difficulty.

Mr. Chairman: I assume I have unanimous consent to stack until 5:45.

Mr. Wildman: Maybe we should stack it until Monday.

Hon. Mr. Conway: I think we should try to do it today if we possibly can.

Mr. Wildman: Let's have a source of realism. These amendments are not going to pass, so let's deal with them today, when they are stacked.

Mr. Chairman: So the final consensus is that we stack at 5:45 today.

Agreed to.

Vote stacked.

Mr. Chairman: Thank you. The second motion for section 1.

Mr. Wildman moves that subsection 14a(3) of the act, as set out in section 1 of the bill, be amended by striking out "two years" in the second line and inserting in lieu thereof "six months."

Mr. Wildman: Again, I made clear during the second reading stage the reason for this amendment. It is to make it consistent with the six-month provision for an area that is going to be designated, as set out in subsection 14a(3) of the act. I do not have any indication of where this two years came from. It seems to me that if we are going to license a pit that has been unlicensed in the past, we should treat it in the same way as a pit that is going to come into an area that is going to be designated.

Hon. Mr. Kerrio: The reason this amendment is unrealistic is that two years is not unreasonable. If you have an estate sale or some intricacies in changing over a licence, it does not follow that it could be accomplished in that length of time. We feel two years is about the least amount of time we should put in for this sort of transfer.

Mr. Chairman: Any more comments? Are we ready to vote? Is it the pleasure of the committee that Mr. Wildman's motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Vote stacked.

Mr. Chairman: Since the only amendment I had was for section 1, shall sections 2 and 3 carry?

Sections 2 and 3 agreed to.

On motion by Hon. Mr. Conway, the committee of the whole House reported progress on one bill and reported one bill without amendment.

METROPOLITAN TORONTO CONVENTION CENTRE CORPORATION ACT

Hon. Mr. O'Neil moved second reading of Bill 141, An Act respecting Metropolitan Toronto Convention Centre Corporation.

Hon. Mr. O'Neil: This legislation proposes to confirm the Metropolitan Toronto Convention Centre as an agency of the crown and to clarify and formalize the provincial government's relationship with this facility. As a crown agency,

this facility will continue to enhance Ontario's growing profile as a major tourism destination.

The Acting Speaker (Miss Roberts): Would any member wish to comment upon the remarks made by the minister?

Mr. Philip: I just want to comment that we are in support of what the minister is proposing.

Mr. McLean: I do not want to take up any time of the House because we agree with this bill. There are just two short questions I had for the minister and perhaps he can clarify them. Does he anticipate any money surpluses from the corporation? It is indicated it is to go back into the consolidated revenue fund. Does he anticipate there will be funds or surpluses, and if so, how much? That is really the only thing I have with regard to the bill. Other than that, we are supporting it.

Hon. Mr. O'Neil: I appreciate the comments by the critic on that. I might say that the Metropolitan Toronto Convention Centre is proving to be very successful. I think that has been proved even over the last couple of days with the economic summit that took place there.

We anticipate the centre will make a profit. At the present time, some of the profit which has been realized from it is going back to payments on a loan the corporation has with the province. We do anticipate that as time goes on it will prove to be very successful.

Motion agreed to.

Bill ordered for third reading.

OTTAWA CONGRESS CENTRE ACT LOI SUR LE CENTRE DES CONGRÈS D'OTTAWA

Hon. Mr. O'Neil moved second reading of Bill 142, An Act respecting Ottawa Congress Centre.

L'hon. M. O'Neil propose la deuxième lecture du projet de loi 142, Loi concernant le Centre des congrès d'Ottawa.

Hon. Mr. O'Neil: This legislation proposes to confirm the Ottawa Congress Centre as an agency of the crown and to formalize the provincial government's relationship with this facility. As a crown agency, the Ottawa Congress Centre will also continue to enhance Ontario's growing profile as a major tourism destination.

Mr. Daigeler: As a member of the Ottawa-Carleton area, I would like to say how pleased we are with the congress centre and the convention centre in the Ottawa area. I am very pleased the

minister is continuing to support this initiative. I think it is great; it is very much appreciated. In fact, it is increasing tourism significantly in eastern Ontario. I just want to say that we in the Ottawa area are very pleased about this.

Mr. D. S. Cooke: We will be supporting this legislation. I might say to the minister that I have looked at this piece of legislation, plus the previous one, with great interest. I am sure the minister will know that my home community is looking at the Metro Toronto model and the Ottawa model as perhaps being a model that should be adopted in the only other region in this province which could justify, with its border-city population with Detroit, this type of convention facility.

I totally understand the benefits Metro Toronto and Ottawa have reaped as a result of these facilities. I hope the minister will be as enthusiastic in the Windsor-Essex area for a major convention facility that would benefit not only our area but the entire province and build on the two main facilities that already exist, along with some of the regional facilities such as Hamilton that exist in the province as well.

We will be supporting this legislation and using it as a model for other areas like Windsor in the future.

Mr. McLean: We will be supporting this bill. I have a couple of questions for clarification. There is approximately a \$400,000 deficit at that centre now. Is that going to be paid off by the ministry—I understand it is hoped it will become self-sufficient—or is it going to be paid off by the corporation? The minister indicates somewhere that the ministry has been paying the deficits all along. Could he indicate to us the amount of deficits he has been paying each year and who is going to pay the \$400,000 deficit?

We will be supporting the legislation, but I would like those questions clarified.

1650

Hon. Mr. O'Neil: I might just say, in regard to the member's questions, that the province has an allocation of \$425,000 for the Ottawa Civic Centre's projected deficit this year, but we anticipate that will drop to \$125,000 this year and that amount will be paid by the province.

I can also say to the member that the centre in Ottawa has been very busy. We are very pleased with the board of directors and the staff that we have, not only here in Toronto but also in Ottawa, who are working very hard and travelling and speaking with the different groups to see that the centre is used as much as possible. We are very pleased.

We had larger deficits in the beginning years. Those have been gradually decreased to the amount that I just mentioned. We anticipate and hope that both of them will work at a profit. Either that profit will be used for future expansion or new equipment within it, or part of those revenues or profits will be returned to the province.

Motion agreed to.

La motion est adoptée.

Bill ordered for third reading.

Le projet de loi passera à l'étape de troisième lecture.

CORPORATIONS TAX AMENDMENT ACT

Hon. Mr. Grandmaître moved second reading of Bill 84, An Act to amend the Corporations Tax Act.

Hon. Mr. Grandmaître: Bill 84, An Act to amend the Corporations Tax Act, implements the proposal in the budget of the Treasurer (Mr. R. F. Nixon) of May 20, 1987, to reduce the statutory time limit for raising a reassessment from six years to four years. It also provides for the temporary reduction in the capital tax payable by a corporation that is a farm equipment dealer, and it makes the needed amendments to the Corporations Tax as a consequence of recent amendments to the Income Tax Act of Canada.

Ms. Bryden: This bill to amend the Corporations Tax Act is really a very important bill, because we are one of the few provinces that has its own Corporations Tax Act and, therefore, has the power to have an independent corporations tax rather than just one that mirrors what Ottawa passes in its legislation in the cases where Ottawa collects the corporations tax, as well as sets the legislation.

I think the bill really should have had much more time allocated to it, and today is probably not the day for a long debate on the philosophy of the Ontario Corporations Tax Act, even though I would have liked to have participated in such a debate. That is why I regret that the government has decided this must get through before the end of this spring session. It seems to me that an act of this sort should be scheduled for a period when all members can look at its philosophy and discuss whether we want to keep our own Corporations Tax Act.

We should discuss whether we want to use that Corporations Tax Act to effect our economic development in this province. We do not have to just say "ready, aye, ready" to the federal corporations tax whenever they make an amend-

ment. We could have our own amendments, and we do not have to just accept all their concessions to corporations, although we usually do. In fact, sometimes we go further and put in our own concessions. Of course, it depends on whether you think the concessions are good or bad as to whether you think it is a form of independence that we want to pursue.

I realize there are also a great many house-keeping changes in this act, and we would not oppose their going through, but again I do not think anything would be very seriously upset if those were delayed until we had time for a proper debate on this act. That is why I object to this end-of-session practice, by this government and by the previous government, of not giving us adequate time to discuss important tax legislation.

We know that we do not have a fair tax system in Ontario by a long shot, and the corporation tax is one of the reasons, because the corporations have been paying a smaller and smaller share of the total revenue over the past 10 or 15 years and the individual income tax payers have been paying a larger and larger share of the total revenues of this province. That indicates that in order to have a fair tax system, there should be some increases in the Corporations Tax Act and some changes in the kind of concessions that are allowed under the Corporations Tax Act.

There are some important matters of principle that I want to spend a little time discussing today, and one is the proposal to implement the proposal of the Treasurer of Ontario in his May 20, 1987, budget that reduces the time limit for issuing reassessments of the corporations tax, the statute-barred limit, from six years to four years. That came out in the 1987 budget and has not yet been put into effect, but this bill will do that.

I question why the government should be reducing the time limit within which it can reassess corporate income tax. While no doubt it is desirable and necessary to have some time limit, and in practice virtually all reassessments may be completed within four years, there may be certain circumstances where, for whatever reason, four years is insufficient to make such a reassessment. Even though it may affect only a small number of cases, it would seem reasonable to keep the door open just in case there are complex cases where the Ministry of Revenue may lose a great deal of money if the time for reassessment, the statute-barred limit, were reduced from six to four years.

That is an area that I would have liked to have more discussion on, with more explanation from

the ministry as to how much revenue this may ultimately lose it. I guess it is something that you cannot really pinpoint, but it is worth looking at how many people went right to the six-year limit and whether it was in the last two years that the Ministry of Revenue really found out that they needed reassessment.

The proposal to implement the temporary capital tax reduction for farm equipment dealers, which was announced by the Treasurer on February 11, 1987, is another area we should have had time to look at in more detail. Under this measure, capital tax is to be reduced to a maximum of \$200 for farm equipment dealers on their first \$3 million of taxable capital for the first two taxation years commencing after December 31, 1986.

While the plight of farm implement manufacturers and dealers is well documented and the problems quite severe, it appears that the worst is over. Sales of agricultural machinery are expected to show an increase this year. Thus, with the market showing an upturn and cautious optimism the word, the timing of this latest government initiative is perhaps misplaced and may even be unnecessary at this date, considerably after February 11, 1987, when it was announced by the Treasurer.

1700

In addition, I have somewhat of a problem in using the tax system to deliver such relief. With a blanket reduction, there are bound to be many farm equipment dealers who are in relatively sound financial shape and should not benefit from the tax reduction, just as there are, undoubtedly, other firms and other industries that could use a break.

In addition, reducing capital tax does nothing to alleviate the underlying problem. Therefore, I think that is another area that the Treasurer should have looked at again and perhaps postponed implementing. He should have dropped it from this bill and considered a policy in his next budget, not in the present year.

With regard to the proposal to amend the act to bring it into step with recent amendments to the Income Tax Act of Canada, in principle, we would support most of the recent federal changes, but there is one in particular where we would like to see Ontario take a more independent line; namely, on flow-through mining shares.

The amendment in Bill 84, subsections 4(1), 4(2) and 4(5), continues the present policy of enabling flow-through of deductions for exploration and development expenditures to investors

in shares of resource corporations. This allows investors to deduct from their incomes an amount in excess of 100 per cent of their actual investment.

At the recent Ontario New Democratic Party northern council, a resolution was passed condemning the use of flow-through mining shares as being an inappropriate use of the tax system. In most cases, I am sure the minister will agree, it is the world price of a particular commodity that determines whether it can be mined profitably. While there may, in fact, be cases where assistance is necessary, it seems more reasonable to determine this on a case-by-case basis through the use of a system of grants.

That is the third area where we would have liked to have seen us not to be in such lockstep with the federal government and to have gone our own way on that particular part of the federal changes.

There are additional amendments that we would like to make to this act but, again, I have only very limited time to go into the details of them, so I would like to put them forward as suggestions for the minister to consider for next year; or he can bring in his own amendments, if he likes, before we pass this bill.

The amendments that I would like the minister to look at are, first, to increase penalties for nonpayment of corporation taxes by a specified deadline.

I understand that we do not have figures as to how many corporations are in arrears of taxes or have not paid by the date set in the act, but there was a study done in Ottawa which was reported by Simon De Jong, NDP member of Parliament. He got figures from the federal Department of National Revenue showing that 122 companies owed more than \$1 million in unpaid and undisputed taxes at the end of 1986-87, and the total amount owing in this category of undisputed taxes—they just simply had not written the cheque and got the money in when they were supposed to—was 3.6 per cent of the total tax revenue expected.

We would like the minister to look into our own statistics and find out how much corporations tax is undisputed but still owing and should have been paid by this date, or by whenever he does the study. I hope it will be as soon as possible.

My second proposed amendment I would like him to look at is to require payment of a minimum corporations income tax annually by all corporations. There are still many Ontario corporations that do not pay any income tax at

all. This is because they are able to qualify for various concessions and deductions, some of which are more than 100 per cent of their investment. As a result, they have really large earnings but they do not pay any corporations income tax.

Not only would we like to require payment of that but we would also like a list of which companies did not pay any income tax in the last fiscal year. Then we would be in a better position to see those companies that are really getting off, through our unfair tax system or through our concession system, with not paying their share of the total cost of running this province in which they operate.

My third proposed amendment is to require all corporations to report annually to the ministry the amount of all "deferred taxes" on their books. Some of them do set up the figures as to what they consider deferred taxes as a result of slower write-offs or more rapid write-offs of their capital investments and other means that they have under the tax law, but it would be interesting to know how much of a cash flow, shall we say, or how much their revenues are increased by the fact that they are able to carry certain taxes on their books as deferred taxes.

The Ministry of Revenue, when it receives these figures, should be required to issue a statistical summary to report these figures. It may not be feasible under the confidentiality requirements of the tax law to report them by company, but it certainly could be reported by category of industry and the total amounts that are reported.

My fourth proposal, and this is the last one, is to require the Ministry of Revenue to publish annually a report on the amounts of tax expenditures, as is done at the federal level for most years. The Ministry of Treasury and Economics did publish in May 1986 a book called Ontario Tax Expenditures and it gave a breakdown of what tax expenditures are. As most the members know, tax expenditures are what the corporations are able to save because of tax concessions which are supposed to encourage investment, economic development or some activity that is desirable. Really, they are any break that is given to the taxpayer; but it does not show up as a grant, it just shows up as a reduction in taxes for either a corporation or an individual. This covers both corporations and individuals.

It is a study that would be very valuable to all of us to know what is actually not being voted by this Legislature to corporations and individuals but is a saving to them and is directed to certain purposes which they are allowed to direct it to

under the law. In effect, it is money that we would have liked to have had some say about in this Legislature before it was spent, but we cannot under the present law. That is a further report that we would like from the ministry.

1710

We would also of course like an annual statistical report on his tax collections, the amount he spends on collecting. That is also something we have been asking for for many years. It is impossible to analyse the tax system without having that kind of annual report and those kinds of statistics.

I would like to suggest those for the minister's consideration, and I hope he will respond favourably towards those proposed amendments. We intend not to support this bill because we feel it is not producing a fairer tax system for Ontario. That is why I have set forward some of the reasons we consider we do need a revamped Corporations Tax Act, and this is not the kind of bill we are looking for.

Mr. Harris: We are in favour of this particular bill. While there could likely be debate on little bits and pieces of it, I am not sure that at this particular stage it would serve a great, useful purpose. I want to make just one comment, which is that this bill arises out of a budget brought in well over a year ago. I think it is a disgrace that we are getting around to dealing with this bill only right now. I condemn the former Minister of Revenue for not being able to bring forward this bill. He is currently the Treasurer (Mr. R. F. Nixon) and at the time he was the Treasurer and the Minister of Revenue.

It says something about the priorities of this House that when it comes to economic legislation, this bill, which really does clean up a lot of little things and which does live up to being one of the very few positive aspects of the budget of two years ago, was delayed for so long. Having said that, I am in a backhanded way, I suppose, congratulating this Minister of Revenue (Mr. Grandmaitre) for finally getting around to dealing with the bill. Our party will be supporting it.

Hon. Mr. Grandmaitre: I appreciate the comments and the remarks of the member for Beaches-Woodbine (Ms. Bryden). We had a very interesting conversation about corporation taxes not so long ago. We had a good briefing and she brought to my attention most of her good ideas at that time. I am pleased to report to her this afternoon that we did do a little bit of research, so I would like to share with her the answers to some of her questions today.

One of the member's questions was in respect to corporations not paying income tax. At the time she asked me that question, I did not have the statistics before me. I can tell her that of about 155,000 corporations in 1986, 125,000 of them were inactive and, as the member so justly pointed out, of the remainder a good number of corporations did not file income tax, for a number of the reasons she pointed out. Naturally, we are trying to close these loopholes every year.

Who knows—as the member for Nipissing (Mr. Harris) has said, maybe this bill should have been brought before this House before this last week, we hope, or last 10 days of the House—but I will certainly take into consideration the member's proposal and I invite her to provide me with her proposed amendments, or the amendments she would like to see to this bill, in writing. I will certainly try to accommodate her the next time we look at amendments to this act.

The Acting Speaker (Miss Roberts): Hon. Mr. Grandmaitre has moved second reading of Bill 84.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

Bill ordered for third reading.

MINING TAX AMENDMENT ACT

Hon. Mr. Grandmaitre moved second reading of Bill 85, An Act to amend the Mining Tax Act.

Hon. Mr. Grandmaitre: This bill, An Act to amend the Mining Tax Act, implements the 1987 Ontario budget proposal of the Treasurer (Mr. R. F. Nixon) for a tax holiday of three years for new mines in Ontario after May 20, 1987. The program will exempt operators from the 20 per cent mining profits tax on income earned from the first 36 months of commercial production. Major expansions of existing mines and reopenings of inactive mines will also qualify.

The bill will also introduce certain other amendments to the Mining Tax Act. It will reduce the time limit for making reassessments of tax from six years to four years, and this parallels the proposal contained in the corporations tax amendment of 1987.

Mr. Harris: I wonder if the minister could just clarify briefly how much of this act is in force now and how much is not in force until royal assent. Are the tax benefit provisions in place now for the mining companies? I wonder if he can he just clarify the assent provisions.

Hon. Mr. Grandmaitre: As far as I am concerned, or maybe I could use some assistance, these amendments have been in place since the May 20, 1987, budget.

Ms. Bryden: After voting against the previous bill, we will probably not surprise the members in also voting against this bill. I think our reasons are pretty fundamental.

The purpose of the amendment to the Mining Tax Act, Bill 85, according to the compendium, is: (1) to implement the May 20, 1987, budget proposal for a tax holiday of three years for new mines and major expansions; (2) to transfer some of the prorating provisions relating to processing and depreciation allowance from the regulations to the act; (3) to make some housekeeping changes to streamline the act.

1720

Of course, we do not object to housekeeping changes and streamlining of the act, but we are fundamentally opposed to the first and most significant purpose.

Tax breaks will not make the difference in whether companies will open new mines. Dozens of mines are opening in the north right now because of the world price for minerals, particularly gold. The three-year tax break is essentially a gift to mining companies.

This is another government handout to a sector that prides itself on its entrepreneurship, on free enterprise, on capitalism. But they are really welfare bums if they come and ask for a three-year tax break. If the Treasurer wants to establish a fiscally responsible and conservative regime, why is the government condoning corporate welfarism?

The second purpose which I mentioned, regarding the proration provisions, will probably have very little practical effect.

With regard to the act itself, we feel there are some amendments we would like to have made to it but, once again, I am going to commend them to the minister so he can consider them for the next round.

If we had had more time, I think we should have had a general debate on the purpose of this mining tax and its holidays and its tax breaks for the reasons I mentioned.

We should also have considered whether the revenue from the Mining Tax Act should not be directed to the northern Ontario heritage fund, because that fund, as we have heard in the House this session, was promised in election promises by the government opposite. It has been requested at northern Ontario meetings, particularly of the Ontario New Democratic Party's northern

council, for many years. But the way the promise was implemented last year was that the money which was promised was not paid in the last fiscal year, 1987-88; in effect, the promise has not been implemented.

After the question was debated in this House about getting that fund going with an adequate allotment which would not just be a very ephemeral election promise, after a considerable debate was initiated by the New Democratic Party and assisted by some of the other representatives, we did get an agreement that there would be \$30 million in the budget for this year and, I understand, for the next 12 years.

That is still very inadequate for the northern Ontario heritage fund. With all the promises which were made about how it was going to be used for the economic development of the north and getting the resources developed at home, and not just being the hewers of wood and drawers of water with our resources and shipping them across the border, we should really consider whether a portion of the revenues from the Mining Tax Act should be earmarked for the northern Ontario heritage fund.

As a matter of fact, I understand that this year's \$30 million is less than the government is getting in a tax windfall under the forest export tax which was put on this year in an attempt to compensate for the United States putting special taxes on our shakes and shingles.

This year it is costing the government nothing. It could take a chunk out of the revenue from the Mining Tax Act this year, and that might be a use for the revenue from this tax, but the more the government reduces the revenue by tax holidays the less money it has to support the northern economy and the northern Ontario heritage fund. I think that is a reason this bill really should be opposed as wrong-way taxation, going back to the old giveaways to the mining companies, which should be expected to operate on their own within the framework of world markets.

That is one area where the minister could still consider some action. He does not have to have legislation to direct some of those revenues to the northern Ontario heritage fund. All he has to do is persuade the Treasurer to make that a part of his budget next year. To make it a permanent thing, he may have to have legislation, and we would be glad to consider that next year.

On the second amendment, I am sure the minister will be sympathetic to this amendment because he probably is supporting the amendment of the Minister of Municipal Affairs (Mr. Eakins) to provide for special tax arrangements

for the townships of Marathon and Manitouwadge, near the Hemlo mining properties, which are located in unorganized areas outside those townships. The townships of Marathon and Manitouwadge serve as dormitory municipalities for the employees of those mines and their families, yet they get no tax revenue from those mines to cover the costs of the services and the schools they provide for the employees of those mines.

It is true that the provincial government did make grants in the last two years to those municipalities, but the mines got off scot-free. The provincial taxpayers paid the grants, which are not based on the actual cost of the services, nor are they necessarily in proportion to the number of employees and the number of schoolchildren whose parents work in those mines and who live in the dormitory municipalities. There may be other dormitory municipalities adjacent to those mines as well that are also needing help.

The legislation that was introduced by the Minister of Municipal Affairs last week is very progressive legislation. It provides that those mining properties outside the townships of Marathon and Manitouwadge and any other municipalities that act as dormitories for those mines should be assessed and taxed and should pay property tax.

Their assessment would be added to each municipality's existing tax base. Then each municipal council could establish its mill rate according to existing procedures. This means that the mining companies would pay their fair share of property taxes and of school board taxes. Further, the legislation gives the minister the power to decide the percentage share of these tax revenues that will go to each of the affected dormitory municipalities.

There is one part of the legislation that I do not like; that is, it empowers the minister to designate which mining properties should be assessed and taxed in this way, and it does not necessarily say that this will include all mining properties, both surface and underground. That is left vague in the legislation. It also does not specifically spell out that both municipal and school taxes would be included in this assessment and property tax regime that is to be put in for those municipalities.

1730

Mr. Harris: Madam Speaker, we are talking now about Bill 159, which is going to come up later in the day. If the member assures me that she is not going to speak on Bill 159, I can sit here

and listen to this stuff. Otherwise, let's get on to the point of the bill.

Ms. Bryden: OK. The point is simply that the principle in Bill 159 should be extended to all mining municipalities in Ontario. If it is good for Hemlo and for the municipalities that are its dormitory municipalities, it should be good for the whole province. I am surprised that the government has moved to solve only the Hemlo, Marathon and Manitouwadge problems when other mining companies are getting off scot-free in the business of looking after the employees and the children and families of the employees with regard to the kind of municipal and school services they need.

That would be my second amendment, and I think it is a legitimate amendment, to the Mining Tax Act. The provision should be made for all mining municipalities to be brought under municipal assessment and taxation and to pay property taxes. It may have to be done by a Municipal Affairs Act amendment ultimately, but I think the principle that they are subject to property assessment and school board assessment should be set forward in the Mining Tax Act.

Those are the main changes we would like to see in the act, and if it does go through in spite of our opposition, I hope we will see some of them in the next version, next year.

Mr. Harris: I have two comments. One is the same as I had on Bill 84, that again we are dealing with a budget bill not of the past budget, the abominable budget, but of the pre-election budget of over 15 or 16 months ago, or in that range. Again, I indicate that I think it is unfortunate that it takes this much time to deal with economic legislation, and particularly this piece of legislation which deals with an industry so important to my area of the province, indeed to all of northern Ontario and, I would argue, all of Ontario.

I want to indicate that we do not think this bill, to get into the specifics of it, goes nearly far enough. We indicated that at the time the budget was brought in in 1987. It does a little bit. I guess it is estimated the government will forgo somewhere in the order of \$5 million—its estimate—over the life of the legislation.

Certainly, nobody would say this is going to make or break the mining industry. From that point of view, it does not do a lot. Maybe that is why the former Minister of Revenue was embarrassed to bring it forward and left it for the current Minister of Revenue (Mr. Grandmaître); I am not sure. We really do not think it goes far

enough. None the less, obviously we are not going to vote against it. We take anything we can get that benefits the mining industry in this province.

I want to indicate that the very fact that the New Democratic Party is opposed to this really encourages me to say how much more I am in favour of it. I cannot for the life of me understand why they think it is of benefit to northern Ontario to tax companies in northern Ontario more. I do not understand why even they would not think, "Isn't it better to leave some money there so that when it comes negotiation times, the unions can get their share of it, the workers can get their share of it?"

Would one not think that they would want those companies to be economically viable, that they would want those companies to have money in their hands so that it can be shared with the communities, it can be shared with the workers and it can improve the quality of life in northern Ontario?

We are talking about companies which have been good for northern Ontario. We are talking about companies which have provided meaningful, good, well-paying jobs in northern Ontario, not the kind of jobs this party talks about by shutting down the forest and mining industries in Temagami and bringing in the \$4-an-hour tourism jobs for the odd tourist outfitter to go guiding and to take the rich élite from the United States and Toronto fishing in our lakes. These are good, well-paying jobs which enable us to live in the north with dignity and which enable us to have the incomes in northern Ontario that I think we need and I think we deserve.

I can never understand why they want to attack those very industries in northern Ontario which have given us the well-paying jobs. I have seen example after example. I saw it with the Temagami situation, where they wanted to take away mining jobs, they wanted to take away forestry jobs and they wanted to replace them with Mickey Mouse, \$4-an-hour, maybe student jobs, maybe the odd thing part-time in the summer, to help wash somebody's canoe.

It bothers me when I hear these examples. I thought it was entirely out of order to talk about Bill 159, but it was talked about. It bothers me when they use that example, saying: "Instead of the money coming from the Treasury, from all the taxpayers of Ontario, to support our municipalities, let's tax the bejabbers out of the companies that are there. Let's make it even more difficult that way for them to compete, for them to operate, for them to pay meaningful

wages to the workers. Let's grab everything we can away from the unions, so that when the union sits down at the table and says, 'You've had a good year, company, and we think we're entitled to our share of it'— I cannot understand why they want the government to have taken all that money away so there is nothing left for the workers, for the union, for exploration, nothing left for any of these companies.

I did not plan to speak as long as I did, but I am glad to have the opportunity today to say how much more convinced I am that, as almost meaningless as this bill is because it does not do a lot, the principle of the bill is important. It is important for the mining industry. It is important for northern Ontario.

It is an important principle that if you leave money in the hands of people instead of taxing it all away, then spending money to collect the tax and then spending money to figure out how you are going to spend it, and then interfere in the economy in different ways, that is not the best way for the economy of this province. It is not the best way for the economy of northern Ontario. Northerners, in my view, are saying: "Let us keep the money we earn. Let us keep it. You don't have to tax it all away and then spend it in some way."

The government does not know best how to spend the money on behalf of those of us in northern Ontario. It convinces me all the more that this bill deserves support. I also want to say that if you are a northern Ontario member of the Legislature and you do not support this bill, in my view you are saying, "Somebody in Toronto knows better how to spend your money. Let's tax it all away and get it down here and we'll come up with some program to give it back to you," instead of leaving that money in the north for the companies, for the workers, for those of us who live and work there.

Mr. Wildman: I hesitate in a way to comment on the facetious argument that was just put forward by the member for Nipissing. First off, I am sure he does not seriously believe that this is a 100-per-cent tax and we are taxing away all the money made by Inco, for instance. Neither does he seriously believe that the dividends deriving from the profit made by Inco stay in northern Ontario.

He may be surprised, although I cannot understand how someone coming from North Bay does not realize that the international headquarters of Inco are in New York City and that only about 50 per cent or 53 per cent of the shareholders in that company are Canadians. To

suggest that the profit, if it is not taxed, will stay in northern Ontario is nuts.

I am not surprised that the honourable member should make that argument, because he was a member of a government that took many, many taxes out of northern Ontario and did not send back a fair share, and was unable to persuade his government to do so. This government is doing the same thing, so I am not surprised that he should say that if we do not leave it with the companies, it is never going to go back to northern Ontario. Both the Tories and the Liberals have followed that policy.

Well, it is about time we had a government that did ensure that the companies that benefit from the resources pay their fair share of the costs of the production of that wealth, and that the wealth that is taxed by the government is returned to the north to provide the services and amenities that we in northern Ontario do not have but that we deserve. That kind of an argument, put forward in this House, denigrates all northern members of the Legislature.

1740

Mr. Speaker: Any other comments or questions? Does the member for Nipissing wish to respond?

Mr. Harris: Briefly. Obviously we disagree. I do want to say in conclusion that I feel strongly that I would rather have the money there for the union. I would rather have the money there for the workers so that when they sit down with the various mining companies, they have access to that money. In my view, the workers, the union members, those people who live and work in northern Ontario and their families, know how to spend this money better than the government does. I applaud leaving it there so that they will have an opportunity to get their fair share.

Mr. Speaker: Are there any other members wishing to participate in the debate? If not, the minister may wish to make some final comment.

Hon. Mr. Grandmaitre: This is a whole lot better than question period, having the official opposition arguing with the third party. Have you noticed, Mr. Speaker, that the government was the winner? I have not said a word yet.

I have heard all kinds of comments from the two opposition parties about the dollars that were pumped out of northern Ontario and never returned. Well, I think this government is a leader when it comes to returning some of those dollars. This is only the start; better things are yet to come.

Mr. South: We're not perfect, but we're working at it.

Mr. Villeneuve: You've got a long way to go, patting yourself on the back.

Hon. Mr. Grandmaitre: Well, we are very close to being perfect. I think the member for Nipissing came very close to agreeing with the government that we are doing a good job in northern Ontario. We have created more jobs in northern Ontario in the last 24 months than possibly anywhere else. We have created more jobs in northern Ontario than in eastern Ontario, I can assure members of that.

Mr. Villeneuve: Well, thank you from that area. Where are you from?

Hon. Mr. Grandmaitre: I welcome the member to the House. We have not seen him this week.

I think this is a start. Those amendments are to improve the Mining Tax Act, and we will continue, as a government, to improve it.

Mr. Speaker: Hon. Mr. Grandmaitre has moved second reading of Bill 85. Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion the ayes have it.

Motion agreed to.

Bill ordered for third reading.

Hon. Mr. Conway: The moment has finally arrived Mr. Speaker; the 39th order.

WEED CONTROL ACT

LOI SUR LA DESTRUCTION DES MAUVAISES HERBES

Hon. Mr. Riddell moved second reading of Bill 138, An Act to revise the Weed Control Act.

L'hon. M. Riddell propose la deuxième lecture du projet de loi 138, Loi portant révision de la Loi sur la destruction des mauvaises herbes.

Mr. Speaker: Would the minister have any opening comment?

Hon. Mr. Riddell: In the interest of time and in the interest of those people who suffer from allergies, I am prepared to forgo any comments that I have on this bill, believing that there is support from the other side of the House from both parties. I will listen to their comments and perhaps respond at the end of the day.

Mr. Wildman: As the minister indicated, we are in support of the legislation and the purpose of the legislation. I do not intend to prolong this. It is a difficult problem if you have a property

owner, who may or may not be easily identified, who is not maintaining his property as he should and can allow it grow up in weeds that will then adversely affect the crop production of his neighbours. The bill upgrades the system for dealing with this problem.

I do have one amendment to put forward in committee of the whole which would require notice to be given and a posting of an area that is to be sprayed under an order of a weed inspector so that the neighbours are notified in advance if a chemical spray is going to be used. Other than that, we are in support of the legislation.

Mr. Villeneuve: Our party is also in favour of Bill 138, providing better control of weeds. Noxious weeds, of course, are always of great concern to people, and certainly I appreciate the fact that noxious weeds will not be universally labelled across Ontario. Indeed, we know we have differences in northern and southern Ontario.

One area that concerns me to some degree is in the one provision where they will be regulating and prescribing the measures that shall be taken to prevent the use of birdseed that is infested with weed seeds. We have known that that has been occurring over a period. We are not too sure what the minister and those in charge of policing this particular area will do. We have birdseeds coming in from the United States and from other provinces. What is the degree of infestation allowed? Will there be any weed seeds allowed? Will they have to go through a sterilization process such that, indeed, if they are ingested by the bird and dropped as droppings throughout the area, they will not regrow?

Those are areas I would like the minister to speak on. Outside of that, our particular concerns are not great in this, and we will be supporting Bill 138.

Mr. Speaker: Are there any comments or questions? Is there any other member wishing to participate in the debate? Seeing none, the minister may wish to make a final comment.

Hon. Mr. Riddell: Perhaps I can save time and, I hope, convince the member for Algoma (Mr. Wildman) that it would not be necessary to have this go to committee of the whole House. I can appreciate the member's concern and the safety-oriented thrust of his amendment. While I do support the member's amendment, I feel that the proper place to make such an amendment is through the regulations under the act, which prescribe the methods in which the noxious weeds should be destroyed.

Moreover, I feel that there should be some discussion with the municipalities to determine the impact of this amendment on their operations. So once again I trust I can convince the member that we can do what he wants to do by way of regulation. Let's then discuss with the municipalities the impact that they feel his amendment will have on their operations. If they feel that it will have no impact, then we can always incorporate it into legislation at another time.

Regarding the concern of the member for Stormont, Dundas and Glengarry (Mr. Ville-neuve), it will be the inspectors who will inspect the birdseed that is coming in and will make the determination as to whether there is an acceptable level of weed seed in that birdseed. If it is not acceptable, then the birdseed cannot be used for sale in this province.

As far as being able to tell the member what tolerance levels we have for birdseed, I will have to take that as notice and get back to the honourable member, because I do not know off the top of my head.

Motion agreed to.

La motion est adoptée.

Bill ordered for committee of the whole House.

Le projet de loi est déferé au comité plénier.

Hon. Mr. Conway: Just as we begin committee of the whole on this matter, it might be useful to seek consent to return to the discussion we had when we were last in committee of the whole dealing with Bill 153. If we could have unanimous consent, I think the member for Algoma (Mr. Wildman) might wish to say something.

Agreed to.

1750

House in committee of the whole.

PITS AND QUARRIES CONTROL AMENDMENT ACT

Consideration of Bill 153, An Act to amend the Pits and Quarries Control Act.

Mr. Wildman: On Bill 153, Mr. Chairman, I have mused carefully about your hearing abilities and have come to the conclusion that you were right in deciding that the nays had it on the amendments. I have no wish to challenge the integrity of your hearing, so I would accept your ruling.

Mr. Chairman: I did not say, "nay," I said "eh?" Very good.

Is there unanimous consent to that decision?
Section 1 agreed to.

Mr. Chairman: As we had accepted sections 2 and 3, this completes our consideration of the bill.

Bill ordered to be reported.

WEED CONTROL ACT

LOI SUR LA DESTRUCTION DES MAUVAISES HERBES

Consideration of Bill 138, An Act to revise the Weed Control Act.

Étude du projet de loi 138, Loi portant révision de la Loi sur la destruction des mauvaises herbes.

Sections 1 to 17, inclusive, agreed to.

Les articles 1 à 17, inclusivement, sont adoptés.

Section/article 18:

Mr. Wildman: I have an amendment. It would be an addition, section 18a.

Mr. Chairman: Mr. Wildman moves that the bill be amended by adding thereto the following section:

"18a(1) No chemical herbicides shall be used by or under the authority of a weed inspector for destruction of noxious weeds unless notice has been given under this section.

"(2) Notice of the use of chemical herbicides shall be given by posting signs near any adjacent properties that might be affected by the use of the chemical herbicides.

"(3) The signs shall be clearly visible and posted in such a manner that they are likely to come to the attention of the occupants of the adjacent properties.

"(4) The signs shall be posted at least 72 hours before the application of the chemical herbicides and shall remain posted until at least 72 hours after the application."

Mr. Wildman: I understand the comments made by the minister at the second-reading stage, and I appreciate the fact that he says he supports the amendment but thinks it would be a good idea to do it by regulation. I am not in any way distrusting him or his officials, but I would rather see it as part of the legislation than simply a regulation under the legislation. There is no provision in the bill for notification when a weed inspector has ordered that an area be sprayed so that the neighbours might take whatever precautions might be necessary if a chemical spray is going to be used.

I want to make clear that the import of my amendment is not to require a farmer in a normal

operation to have to post if he is spraying. That is not the purpose; it is only where there has been an order by a weed inspector. The point is that, particularly in this kind of a situation, you may be dealing with nonfarm people who have not ensured that their property is not weed infested, and they may not be familiar with the use of a particular herbicide. I think the people involved and their neighbours should be given proper notice.

I recognize that this might be an imposition on the municipalities. They might have to do something more than they would normally have to do if they were not required to have notification by posting, but I do not think that will add a significant cost to the operation and should not be an impediment. I hope the minister's comments that he supported the safety reasons for the amendment and agreed with the amendment will lead him to accept the amendment. We could then proceed and get it and the bill passed as quickly as possible.

Hon. Mr. Riddell: I believe that in my earlier comments I said that I support the intention of the member's amendment. If there are concerns about the health hazards associated with areas sprayed with herbicides, it would seem that they would relate mainly to public lands such as school grounds and parks where children and adults would be present. Destruction of noxious weeds by authority of the Weed Control Act occurs almost entirely on private lands and seldom, if ever, on public lands.

One of the objectives of the Weed Control Act is to destroy noxious weeds before they can go to seed. In most cases, this is done by cutting. In less than five per cent of the cases is a herbicide used. In those instances, it is because cutting is impractical in destroying such weeds as poison ivy.

Posting of areas sprayed with herbicides is not a mandatory requirement of the Pesticides Act and regulations, but is done on a voluntary basis for the public's information by some school boards, park authorities and lawn-spray companies. The responsibility to prevent the movement of a pesticide off a target area on to an adjacent property is already defined to be the responsibility and liability of the individual spraying under the Pesticides Act.

I understand the Ministry of the Environment is currently studying the whole question of posting sprayed properties. With that, I am not prepared to accept the amendment. I still say that we can do what the member wants us to do by way of regulation. That will give us an opportu-

nity to consult with the municipalities about the impact that this amendment may have on their operations. If they see nothing wrong with it, then we can always come back into the House and incorporate the member's amendment into legislation.

Mr. Wildman: I regret the minister's comment. Again, I do recognize that in the past he has taken the position that things should be in the legislation, not in the regulations. I recognize what he says about the Pesticides Act and its regulations, and I regret that the federal regulations and the Ontario regulations do not require posting of areas, particularly on public lands, that have been sprayed. I wish they would and I think we should move ahead with this legislation rather than leaving it in line with the pesticides legislation.

1800

I will wind up by simply saying that the minister's argument that only five per cent of the orders involve spraying and the rest are cutting makes it all the more reason to pass this, because it would not be an imposition on the municipalities. Only five per cent of the orders would require posting.

Mr. Chairman: I remind the House that it is six o'clock. Do you want to terminate this? Is there unanimous consent to conclude?

Agreed to.

Mr. Chairman: Is it the pleasure of the committee that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Sections 18 to 27, inclusive, agreed to.

Les articles 18 à 27, inclusivement, sont adoptés.

Bill ordered to be reported.

Le projet de loi fera l'objet d'un rapport.

On motion by Hon. Mr. Conway, the committee of the whole reported two bills without amendment.

À la suite d'une motion présentée par l'hon. M. Conway, le comité plénier fait rapport de deux projets de loi sans amendement.

Hon. Mr. Conway: His Honour awaits to give royal assent.

His Honour the Lieutenant Governor entered the chamber of the Legislative Assembly and took his seat upon the throne.

ROYAL ASSENT

Hon. Mr. Alexander: Pray be seated.

Mr. Speaker: May it please Your Honour, the Legislative Assembly of the province has, at its present sittings thereof, passed a certain bill to which, in the name of and on behalf of the said Legislative Assembly, I respectfully request Your Honour's assent.

Clerk Assistant: The following is the title of the bill to which Your Honour's assent is prayed:

Bill 107, An Act to amend the Child and Family Services Act.

Clerk of the House: In Her Majesty's name, His Honour the Lieutenant Governor doth assent to this bill.

His Honour the Lieutenant Governor was pleased to retire from the chamber.

Mr. Speaker: The government House leader may have some information for the House.

BUSINESS OF THE HOUSE

Hon. Mr. Conway: I would like to indicate the business of the House for the coming week, the week of June 27 to June 30.

We will consider the following legislation, although not necessarily in this order: second reading of Bill 132, An Act to amend the Mining Act; Bill 22, the Motor Vehicle Repair Act; Bill 137, the Public Lands Amendment Act; Bill 159, the Hemlo-Marathon matter, and in committee of the whole House, Bill 100, An Act to amend the Education Act, with other business to be announced following discussions among the House leaders.

I want to take this opportunity, Mr. Speaker, to remind you and all members of the House that we will not sit tomorrow.

The House adjourned at 6:07 p.m.

ALPHABETICAL LIST OF MEMBERS*
(130 seats)

First Session, 34th Parliament

Lieutenant Governor: Hon. Lincoln M. Alexander, PC, QC

Adams, Peter (Peterborough L)
 Allen, Richard (Hamilton West NDP)
 Ballinger, William G. (Durham-York L)
 Beer, Charles (York North L)
 Black, Kenneth H. (Muskoka-Georgian Bay L)
 Bossy, Maurice L. (Chatham-Kent L)
Bradley, Hon. James J., Minister of the Environment (St. Catharines L)
 Brandt, Andrew S. (Sarnia PC)
 Breaugh, Michael J. (Oshawa NDP)
 Brown, Michael A. (Algoma-Manitoulin L)
 Bryden, Marion (Beaches-Woodbine NDP)
 Callahan, Robert V. (Brampton South L)
 Campbell, Sterling (Sudbury L)
Caplan, Hon. Elinor, Minister of Health (Oriole L)
 Carrothers, Douglas A. (Oakville South L)
 Charlton, Brian A. (Hamilton Mountain NDP)
 Chiarelli, Robert (Ottawa West L)
 Cleary, John C. (Cornwall L)
 Collins, Shirley (Wentworth East L)
Conway, Hon. Sean G., Minister of Mines (Renfrew North L)
 Cooke, David R. (Kitchener L)
 Cooke, David S. (Windsor-Riverside NDP)
 Cordiano, Joseph (Lawrence L)
 Cousens, W. Donald (Markham PC)
 Cunningham, Dianne E. (London North PC)
 Cureatz, Sam L. (Durham East PC)
Curling, Hon. Alvin, Minister of Skills Development (Scarborough North L)
 Daigeler, Hans (Nepean L)
 Dietsch, Michael M. (St. Catharines-Brock L)
Eakins, Hon. John F., Minister of Municipal Affairs (Victoria-Haliburton L)
Edighoffer, Hon. Hugh A., Speaker (Perth L)
 Elliot, R. Walter (Halton North L)
Elston, Hon. Murray J., Chairman of the Management Board of Cabinet (Bruce L)
 Epp, Herbert A. (Waterloo North L)
 Eves, Ernie L. (Parry Sound PC)
 Farnan, Michael (Cambridge NDP)
 Faubert, Frank (Scarborough-Ellesmere L)
 Fawcett, Joan M. (Northumberland L)
 Ferraro, Rick E. (Guelph L)
 Fleet, David (High Park-Swansea L)

Fontaine, Hon. René, Minister of Northern Development (Cochrane North L)
Fulton, Hon. Ed, Minister of Transportation (Scarborough East L)
 Furlong, Allan W. (Durham Centre L)
Grandmaître, Hon. Bernard C., Minister of Revenue (Ottawa East L)
 Grier, Ruth A. (Etobicoke-Lakeshore NDP)
 Haggerty, Ray (Niagara South L)
 Hampton, Howard (Rainy River NDP)
 Harris, Michael D. (Nipissing PC)
 Hart, Christine E. (York East L)
 Henderson, D. James (Etobicoke-Humber L)
Hošek, Hon. Chaviva, Minister of Housing (Oakwood L)
 Jackson, Cameron (Burlington South PC)
 Johnson, Jack (Wellington PC)
 Johnston, Richard F. (Scarborough West NDP)
 Kanter, Ron (St. Andrew-St. Patrick L)
Kerrio, Hon. Vincent G., Minister of Natural Resources (Niagara Falls L)
 Keyes, Kenneth A. (Kingston and The Islands L)
 Kozyra, Taras B. (Port Arthur L)
Kwinter, Hon. Monte, Minister of Industry, Trade and Technology (Wilson Heights L)
 Laughren, Floyd (Nickel Belt NDP)
 LeBourdais, Linda (Etobicoke West L)
 Leone, Laureano (Downsview L)
 Lipsett, Ron (Grey L)
 Lupusella, Tony (Dovercourt L)
 MacDonald, Keith (Prince Edward-Lennox L)
 Mackenzie, Bob (Hamilton East NDP)
 Mahoney, Steven W. (Mississauga West L)
Mancini, Hon. Remo, Minister without Portfolio (Essex South L)
 Marland, Margaret (Mississauga South PC)
 Martel, Shelley (Sudbury East NDP)
 Matrundola, Gino (Willowdale L)
 McCague, George R. (Simcoe West PC)
 McClelland, Carman (Brampton North L)
 McGuigan, James F. (Essex-Kent L)
 McGuinty, Dalton J. (Ottawa South L)
 McLean, Allan K. (Simcoe East PC)
McLeod, Hon. Lyn, Minister of Colleges and Universities (Fort William L)
 Miclash, Frank (Kenora L)
 Miller, Gordon I. (Norfolk L)

Morin, Gilles E. (Carleton East L)
 Morin-Strom, Karl E. (Sault Ste. Marie NDP)
 Neumann, David E. (Brantford L)
 Nicholas, Cindy (Scarborough Centre L)
 Nixon, J. Bradford (York Mills L)
Nixon, Hon. Robert F., Deputy Premier,
 Treasurer of Ontario and Minister of Econom-
 ics and Minister of Financial Institutions
 (Brant-Haldimand L)
Oddie Munro, Hon. Lily, Minister of Culture
 and Communications (Hamilton Centre L)
 Offer, Steven (Mississauga North L)
O'Neil, Hon. Hugh P., Minister of Tourism and
 Recreation (Quinte L)
 O'Neill, Yvonne (Ottawa-Rideau L)
 Owen, Bruce (Simcoe Centre L)
Patten, Hon. Richard, Minister of Government
 Services (Ottawa Centre L)
 Pelissero, Harry E. (Lincoln L)
Peterson, Hon. David R., Premier and Presi-
 dent of the Council and Minister of Inter-
 governmental Affairs (London Centre L)
 Philip, Ed (Etobicoke-Rexdale NDP)
Phillips, Hon. Gerry, Minister of Citizenship
 (Scarborough-Agincourt L)
 Poirier, Jean, Deputy Speaker and Chairman of
 the Committees of the Whole House (Prescott
 and Russell L)
 Pollock, Jim (Hastings-Peterborough PC)
 Polsinelli, Claudio (Yorkview L)
 Poole, Dianne (Eglinton L)
 Pope, Alan W. (Cochrane South PC)
 Pouliot, Gilles (Lake Nipigon NDP)
 Rae, Bob (York South NDP)
Ramsay, Hon. David, Minister of Correctional
 Services (Timiskaming L)
 Ray, Michael C. (Windsor-Walkerville L)
 Reville, David (Riverdale NDP)
 Reycraft, Douglas R. (Middlesex L)
Riddell, Hon. Jack, Minister of Agriculture and
 Food (Huron L)

Roberts, Marietta L. D., Deputy Chairman of the
 Committees of the Whole House (Elgin L)
 Runciman, Robert W. (Leeds-Grenville PC)
 Ruprecht, Tony (Parkdale L)
Scott, Hon. Ian G., Attorney General
 (St. George-St. David L)
 Smith, David W. (Lambton L)
Smith, Hon. E. Joan, Solicitor General
 (London South L)
 Sola, John (Mississauga East L)
Sorbara, Hon. Gregory S., Minister of Labour
 (York Centre L)
 South, Larry (Frontenac-Addington L)
 Sterling, Norman W. (Carleton PC)
 Stoner, Norah (Durham West L)
 Sullivan, Barbara (Halton Centre L)
 Swart, Mel (Welland-Thorold NDP)
Sweeney, Hon. John, Minister of Community
 and Social Services (Kitchener-Wilmot L)
 Tatham, Charlie (Oxford L)
 Velshi, Murad (Don Mills L)
 Villeneuve, Noble (Stormont, Dundas and Glen-
 garry PC)
Ward, Hon. Christopher C., Minister of
 Education (Wentworth North L)
 Wildman, Bud (Algoma NDP)
Wilson, Hon. Mavis, Minister without Portfolio
 (Dufferin-Peel L)
 Wiseman, Douglas J. (Lanark-Renfrew PC)
Wong, Hon. Robert C., Minister of Energy
 (Fort York L)
Wrye, Hon. William, Minister of Consumer and
 Commercial Relations (Windsor-Sandwich L)

*The alphabetical list of members appears in each issue. Lists of the members of the executive council, parliamentary assistants and members of committees, brought up to date as necessary, are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

CONTENTS

Wednesday, June 22, 1988

Members' statements

Affordable housing , Mr. Breaugh	4612
Toronto Economic Summit , Mr. McCague	4612
Carabram , Mr. Callahan	4613
School accommodation , Mr. Mackenzie, Mr. Jackson	4613
Air-India disaster , Mr. Velshi	4613
CFTO labour dispute , Mr. Reville	4614
Toronto Economic Summit , Mr. Cousens	4614

Statement by the ministry

Multiculturalism , Hon. Mr. Phillips	4614
---	------

Responses

Multiculturalism , Miss Martel, Mr. Breaugh, Mr. Brandt, Mrs. Marland, Mr. Cousens ..	4615
--	------

Oral questions

Forest management , Mr. Wildman, Hon. Mr. Kerrio	4617
Rent regulation , Mr. Breaugh, Hon. Ms. Hošek	4618
1987 constitutional accord , Mr. Brandt, Hon. Mr. Peterson	4619
Ontario Hydro , Mr. Runciman, Hon. Mr. Wong	4620
Intervener funding , Mrs. Grier, Hon. Mr. Scott	4621
Extended care , Mr. Cousens, Hon. Mrs. Wilson	4622
Housing on government land , Mr. Ballinger, Hon. Ms. Hošek	4623
Workers' compensation , Miss Martel, Hon. Mr. Sorbara	4623
Heritage highway , Mr. McLean, Hon. Mr. Fulton	4624
Nuclear safety , Mrs. Stoner, Hon. Mrs. Smith	4625
Hazardous spill , Mr. Morin-Strom, Hon. Mr. Bradley	4625
Workers' compensation , Mr. Pope, Hon. Mr. Sorbara	4626
Language training , Mr. Faubert, Hon. Mr. Phillips	4627
Funding of social service agencies , Mr. Allen, Hon. Mr. Sweeney	4628

Petitions

Tax increases , Mr. Jackson, tabled	4629
Teachers' superannuation fund , Mrs. Stoner, tabled	4629
Retail store hours , Mr. Cousens, tabled	4629
Naturopathy , Mr. Daigeler, tabled	4629
Tax increases , Mr. Villeneuve, tabled	4630
Retail store hours , Mr. Harris, tabled	4630

Reports by committees/Rapport émanant d'un comité parlementaire

Standing committee on regulations and private bills , Mr. Fleet, agreed to	4630
Comité permanent des affaires sociales , M. Adams, adoption du rapport	4630
Standing committee on social development , Mr. Adams, agreed to	4630

Motion

Committee sittings , Hon. Mr. Conway, agreed to	4630
--	------

First readings/Première lecture

Change of Name Amendment Act , Bill 164, Mr. Fleet, agreed to	4631
Loi modifiant la Loi sur le changement de nom , projet de loi 164, M. Fleet, adoption du projet de loi en première lecture	4631
Sarnia Kiwanis Foundation Inc. Act , Bill Pr18, Mr. Brandt, agreed to	4631
Highway Traffic Amendment Act , Bill 165, Mr. Philip, agreed to	4631
Human Rights Code Amendment Act , Bill 166, Mr. Philip, agreed to	4631

Third reading

Child and Family Services Amendment Act , Hon. Mr. Sweeney	4631
---	------

Second readings

Conservation Land Act , Bill 68, Hon. Mr. Kerrio, Mr. Wildman, Ms. Bryden, Mr. Pope, Mr. McLean, agreed to	4631
Pits and Quarries Control Amendment Act , Bill 153, Hon. Mr. Kerrio, Mr. Wildman, Ms. Bryden, Mr. Pope, agreed to	4636

Committee of the whole House

Conservation Land Act , Bill 68, Hon. Mr. Kerrio, Mr. Wildman, Mr. Pope, reported ...	4639
Pits and Quarries Control Amendment Act , Bill 153, Hon. Mr. Kerrio, Mr. Wildman, progress reported	4641

Second readings/Deuxième lecture

Metropolitan Toronto Convention Centre Corporation Act , Bill 141, Hon. Mr. O'Neil, Mr. Philip, Mr. McLean, agreed to	4642
Ottawa Congress Centre Act , Bill 142, Hon. Mr. O'Neil, Mr. Daigeler, Mr. D. S. Cooke, Mr. McLean, agreed to	4643
Loi sur le Centre des congrès d'Ottawa , projet de loi 142, l'hon. M. O'Neil, adoption du projet de loi en deuxième lecture	4643
Corporations Tax Amendment Act , Bill 84, Hon. Mr. Grandmaître, Ms. Bryden, Mr. Harris, agreed to	4644
Mining Tax Amendment Act , Bill 85, Hon. Mr. Grandmaître, Mr. Harris, Ms. Bryden, Mr. Wildman, agreed to	4647
Weed Control Act , Bill 138, Hon. Mr. Riddell, Mr. Wildman, Mr. Villeneuve, agreed to	4651
Loi sur la destruction des mauvaises herbes , projet de loi 138, l'hon. M. Riddell, adoption du projet de loi en deuxième lecture	4651

Committee of the whole House/Comité plénier

Pits and Quarries Control Amendment Act , Bill 153, Hon. Mr. Kerrio, Mr. Wildman, reported	4652
Weed Control Act , Bill 138, Hon. Mr. Riddell, Mr. Wildman, reported	4652
Loi sur la destruction des mauvaises herbes , projet de loi 138, l'hon. M. Riddell, remise des crédits à la Chambre	4652

Royal assent

The Honourable the Lieutenant Governor	4654
--	------

Other business/Divers

La fête de la Saint-Jean-Baptiste , l'hon. M. Grandmaître, Mlle Martel, M. Pope	4611
Access to information , Mr. Speaker	4612
Procedures in the Chamber , Mr. Speaker	4614
Business of the House , Hon. Mr. Conway	4654
Adjournment	4654
Alphabetical list of members	4655



2/12/88
X/1
-273

No. 85

Hansard

Official Report of Debates

Legislative Assembly of Ontario

First Session, 34th Parliament

Monday, June 27, 1988

Speaker: Honourable Hugh A. Edighoffer

Clerk of the House: Claude L. DesRosiers

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$16.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Monday, June 27, 1988

The House met at 1:30 p.m.

Prayers.

MEMBERS' STATEMENTS

ROLLER HOCKEY

Mr. Philip: I would like to congratulate the Canadian Federation of Amateur Roller Skaters and others responsible for the establishment of an international-style roller hockey team in Ontario. Seven of the 12 members from the team are from the city of Etobicoke. Although there are about 700 players of roller hockey in Canada, our Ontario team will be the first to play by international rules. The sport of roller hockey has achieved full-medal status in the Pan-Am games and also holds the world A and B championship annually.

We are looking forward to seeing it as an Olympic demonstration sport in the 1992 Olympics at Barcelona. Our team is presently working at representing Canada at the world championships in Bogota, Colombia, in October of this year. Recently, our 12-man team competed against the United States regional champions in Utica, New York. Our team tied one game 2-2 and won one game 13-8. The sport of roller hockey is well established in Europe since the 1920s. It is the number one sport in Portugal and is ranked second, only behind soccer, in Spain.

I am sure all members of the House would like to congratulate those responsible for establishing this Ontario-Canadian team and wish it every success in its future events.

TAX INCREASES

Mr. Harris: The count down is on. Only nine more days and the people of this province can start working for themselves. I know it must be a great source of pride to every Liberal in this House that tax freedom day in Ontario now falls on July 6. I know they must delight in explaining to their constituents that in a large measure, thanks to the policies of the Ontario Liberal government, the average Ontarian has to work 18 more days in 1988 than he or she did in 1984 to pay his or her total tax bill for that year.

In 1984, when I recall there was another party in power here in Ontario, tax freedom day fell on

June 18. That was in the good old days back when we had a seven per cent sales tax, a 48 per cent income tax and a government that had some idea of how to control expenditures. Now we have tax, tax and spend, spend. Now we have the average citizen working 188 days of the year to pay his taxes, and I fear that the worst is yet to come.

The Premier's Council has suggested Ontario should emulate Sweden if it wants to be competitive. I fear that, left to its own devices, this government will not only Swedenize our industrial structure but will do the same thing to our tax rates. This would mean a worker in Ontario earning only \$20,000 a year would be in the 50 per cent tax bracket.

On July 6, I would encourage every Ontarian to phone the Premier (Mr. Peterson), the Treasurer (Mr. R. F. Nixon), their Liberal member, just to mark the occasion, just to let them know they do not want to celebrate tax freedom day in 1990 on Hallowe'en.

POOR CHILDREN

Mr. McGuinty: We pride ourselves on our schools which aim to develop all to their full potential.

To this end, we attempt to provide services for the average, the gifted and those with disabilities. But for all our hopes and our boasts, there is one group which has special needs too frequently overlooked, and these are the poor children.

They are different but they are not deficient. I am sure as many of us look back over our own school days:

One thing stands out most of all
The tragic fall-out waste of poor kids,
Those dropped, opted out along the way,
Kids street-smart and different,
Not deficient, slow of wit,
Not delinquent but disadvantaged, poor,
For whom so much more could be expected,
But whose gifts and talents,
Above all self-worth,
Not recognized, brought on,
And much more, much worse, demeaned,
diminished,
With a complex, for all time;
Wasted talents, lives frustrated,

And horrendous social costs,
With marvellous potentials for ever unfulfilled
And with no one easy villain in this sad
scenario.

But, in retrospect, one thing is certain clear:
What we met in schools had much to blame
Our world in some ways foreign
To the schools set up to serve it;
Poor kids with street-smarts loved and learned
to live by
Dismissed as failings, not to pass,
In a system Toronto-programmed
To serve an upper middle class.
Poor children.

DIALYSIS UNITS

Mr. R. F. Johnston: For years, the past member for Scarborough-Ellesmere, David Warner, along with members of the Scarborough General Hospital pleaded with the government of the day to produce more haemodialysis units for Scarborough and brought forward much information about the difficulties that there were for people in the eastern part of Metro, Pickering, Ajax, Oshawa and other places in between there and Kingston to get haemodialysis assistance.

We have just had an announcement recently that 24 machines will be added, but all of them are going to teaching hospitals in the centre of downtown Toronto. I have just received a letter from Dr. Paul Tam, who basically asked me, "What is the rationale for doing that when we know that many, many people in Scarborough and eastern Toronto have a need for this kind of service in their communities and not in the teaching hospitals downtown in Toronto?"

He would like an explanation and I would like an explanation from this government as to why it continues to pour money into the teaching hospitals while ignoring the needs of our suburban communities.

ORDER-IN-COUNCIL APPOINTMENTS

Mr. Sterling: The recent appointment of two high-profile Liberal supporters to the board of TVOntario serves to remind us that this government has its snout well entrenched in the public trough. In fact, what we have is a government of trough Grits busily appointing true Grits.

There can be no doubt that Mrs. DelZotto, the wife of the president and chief fund-raiser of the Liberal Party, and David MacNaughton, the Premier's friend and adviser, are true Grits, but there will always be an element of doubt about the merit and appropriateness of their appointments.

That doubt will be there because the Premier (Mr. Peterson) has refused to undertake any meaningful reform of the appointments process and has refused to allow this Legislature even the courtesy of a review. As one editorial noted, "It is difficult to imagine what the Liberals have to fear from a committee review of their appointments unless they have decided to emphasize patronage and partisanship as opposed to merit and accomplishment in appointments."

True Grits can rest easy. The gravy train runs from the Premier's office to the pork barrel and it is still running on the track.

1340

CELEBRATION 30

Mr. Cleary: Thirty years ago, work was coming to a close on a major eastern Ontario project. This completely changed the face of the Seaway valley and the very lifestyle of the people living in the villages on the border of the Cornwall riding. These villages were Mille Roches, Moulinette, Farran's Point, Wales, Aultsville and Dickinson's Landing—better known today as the lost villages.

These villages were surrounded by 20,000 acres of land, which was to become submerged beneath the swirling waters of the newly-brought-into-being Lake St. Lawrence. Lake St. Lawrence was created to be the headwaters of the new Ontario Hydro power project at Cornwall, which has been a major provider of electricity for the province since 1958.

The 700 people who lost their homes for the benefit of society as a whole were housed in two entirely new villages, Long Sault and Ingleside. Today, both Long Sault and Ingleside are thriving, well-adjusted communities, of which we can be justly proud.

I thought it appropriate that I should bring this milestone of 30 years in our history to the attention of the House. Maybe we could invite all members of the House to join in the activities, festivities and displays that will take place in those communities July 1, 2 and 3.

VIOLENCE AGAINST WOMEN

Mr. Allen: The members of the Ontario Association of Interval and Transition Houses are winding up a series of regional meetings and consultations and will soon be putting their suggestions and recommendations before the Minister of Community and Social Services (Mr. Sweeney).

As we know, one of the concerns of the shelters that has been raised again and again is

that funding for counselling services to men who batter must come from this very same pot.

While the women are quick to point out that they welcome these programs—and they have helped organize and have facilitated many of them—they feel that financial support should come from the Ministry of Correctional Services or other appropriate programs. When funds are limited, they argue, priority should be given to the victims.

I urge the minister to do all that he can to bring pressure upon his cabinet colleagues to assume full responsibility for those programs.

STATEMENTS BY THE MINISTRY

SHELTER FOR THE HOMELESS

Hon. Ms. Hošek: I am pleased to announce the release of a major and important report on the International Year of Shelter for the Homeless. This report was prepared by the minister's advisory committee, a panel of independent individuals with wide and varied expertise.

The strength of this report is that it does not merely identify the causes of homelessness, but it recommends specific strategies for increasing the supply of social housing to meet the needs of homeless people in Ontario.

The report stresses that if we are to put an end to homelessness, then municipalities, the non-profit sector and the ministries of Housing, Health, Community and Social Services, and Correctional Services must work together. We must combine our resources and be united in our goals. The needs of homeless people and other low-income groups experiencing complex social and economic problems can only be met through these co-operative efforts.

A key recommendation is that the Ministry of Housing work with municipalities and the nonprofit sector to speed up and increase the construction of low-cost housing. Specifically, the report recommends making government lands available for low-cost housing, streamlining the approval process, amending the Planning Act, providing more funding for nonprofit housing producers and resource groups and developing a system to facilitate corporate and community investment.

The advisory committee report calls upon the provincial government to provide a wider range of support services, including increasing social assistance shelter subsidies and providing an income supplement to low-income people to help them meet the high cost of shelter.

The report also makes some solid recommendations for dealing with native housing issues. It

proposes that urban native groups be assured access to provincial housing programs and that a conference with native housing advocates be organized to ensure that the situation is addressed with appropriate input from them.

I am proud to say that my ministry has already begun to act on most of these recommendations. We have already set a social housing target of 55,000 units in the next three to five years; we will double the social housing allocation in this province. We are already working with municipalities to streamline the zoning and approval process, and we are dealing with them on such issues as amending the Planning Act and developing government lands for affordable housing. In addition, the Ministry of Housing is actively working with community groups to increase its capacity to meet the assisted-housing target. We have a strong commitment to ending homelessness in Ontario, and this report confirms that we are on the right track. I know there is a lot of work ahead of us.

I would like to take this opportunity to thank the members of the committee for their excellent report. Some of the committee's members are in the gallery today, and I know all members would wish to recognize their hard work. They are Jeffrey Patterson, chairman of the committee and senior program director of the Social Planning Council of Metropolitan Toronto; Dolores Blonde, past president of the Ontario Social Development Council; Joyce Johnson, executive director of Anduhyaun House; Maylanne Whittall from the single displaced persons project; and Bill Belfontaine, who is the controller of the city of Scarborough. I am very pleased to be able to thank them for all the very good work they have done this year.

The recommendations in this report reflect the committee members' genuine commitment to eliminating homelessness in Ontario. The government shares their commitment, as I am sure all the members of this House do.

ELECTRICAL POWER

Hon. Mr. Wong: In the light of the possible implementation of the trade agreement between Canada and the United States, there is a real need to ensure our ability to secure and manage Ontario's electricity supplies. Today, I am pleased to advise the House that I am taking steps to reduce the province's vulnerability under the trade agreement and the federal government's implementing legislation.

Later today, I will be introducing for first reading An Act to amend the Power Corporation

Act. This legislation is meant to respond specifically to Ontario's concerns over the energy provisions of the proposed free trade agreement. As I have indicated previously, broader amendments to the Power Corporation Act will follow.

I would like to take this opportunity to explain to the honourable members the nature and scope of the amendments we are proposing today. The amendments respond to the risks arising from the energy provisions of the trade agreement by asserting Ontario's authority over electricity matters. The trade agreement weakens the federal government's role in securing our energy future. Unlike the General Agreement on Tariffs and Trade, the trade agreement includes obligations with respect to electricity.

The trade agreement also contains proportional access provisions with respect to energy supplies, including electricity, which would be far more restrictive than the General Agreement on Tariffs and Trade. Under the Canada-US free trade agreement, Canada would be required to share its energy production proportionately with US customers in times of reduced supply. The energy provisions in the trade agreement pose a real threat to our future energy security.

Under the amendments to the Power Corporation Act, Ontario Hydro will be required to give priority to the needs of domestic energy consumers when considering export contracts for electricity. Ontario Hydro will be required to ensure that any sale of electrical power proposed under an export contract is surplus to the requirements of Ontario and other customers in Canada. Furthermore, Ontario Hydro will be required to ensure that the export price is higher than the price charged to Canadian customers for equivalent service.

The amended act will assert Ontario's authority to provide economic development assistance to designated regions of the province and will authorize Ontario Hydro to take part in economic development activities to assist these areas.

The amendments I will be introducing later today will ensure that the trade agreement will not deny Ontario's ability under the Constitution to provide for the energy security and economic wellbeing of its people.

1350

WINE INDUSTRY

Hon. Mr. Wrye: Members will be well aware that over the past two decades, European and other wine producers have undertaken programs of expansion and quality improvement that have

radically changed the international competitive environment in wines.

In recent times there has emerged a European surplus in both wine and grapes, which is matched in Canada by a surplus of grapes and fierce competition for existing markets. These market changes have been accelerated by a variety of government programs around the world, such as production subsidies, acreage incentives, quality control programs, marketing assistance and tax breaks.

If we in Ontario are to maintain a successful and prosperous industry, it is imperative that we address the challenge of international competition. We have recognized that need and have acted upon it in partnership with the Ontario industry.

Consumers of fine wines will know that Ontario wine products have come a long way over the last several years. It is evident from some of the international awards we have won recently that our best wines are beginning to compete successfully with any in the world. These success stories are proof that Ontario has the climate, soil and skill to become a globally competitive wine-making region.

Our industries still have much work ahead of them in achieving this ambitious goal. In particular, Ontario's grape-growing acreage must be converted more fully to growing the high-quality hybrids and viniferas that produce our successful wines. These grape varieties require further development and testing. New vines need time to be brought into production. Then wines must be developed and refined.

To this end, I will be introducing later today the new Wine Content Act, which will provide the framework for a restructuring plan for Ontario's grape and wine industries. Developed in co-operation with the Ontario Grape Growers' Marketing Board and the Wine Council of Ontario, the new act will expire after 12 years. This legislation represents a realistic, comprehensive restructuring strategy that will ensure the ability of our grape and wine industries to compete head-on with products from around the world in terms of quality, image and price.

It is our view that Ontario must adapt to the new realities of international competition and changing consumer tastes. We have the environment and the entrepreneurial knowhow to produce world-class wines in this province at competitive prices. We also have the strategy and the will to make it happen and, with the co-operation of my colleagues, the Wine Content

Act, 1988, will provide the framework for meeting this goal.

AUTOMOBILE INSURANCE

Hon. R. F. Nixon: I wish to inform the members of certain government initiatives regarding automobile insurance.

It is our intention to proclaim relevant provisions of the Ontario Automobile Insurance Board Act on July 4, 1988. On the same date we intend to transfer to the board the authority over the mandatory rate classification system so that the board is vested with the full powers needed to meet its projected timetables.

At this time I also wish to inform the members of the government's intention to allow an across-the-board adjustment to automobile insurance rates to a maximum of 4.5 per cent, effective August 1, 1988. The responsibility for setting rates beyond this time will now fall to the automobile insurance board.

Until now, there has been one increase allowed in the 14 months since rates were capped in April of last year, and that increase was a maximum of 4.5 per cent. The combined effect of changes, including this one, is a 9.2 per cent premium increase. Since the board expects to establish new rates by January 1989, the 9.2 per cent increase covers a period of about 20 months.

Rate increases in those provinces where automobile insurance is government run have been much higher. In Manitoba, for example, since April 1987 there has been an average increase of 18 per cent; in Saskatchewan, 10 per cent; and in British Columbia, 22 per cent. It should be noted that those increases are already in place. These provinces could impose other increases by year-end.

As members of this House know, the chairmanship of the board is now in the capable hands of John P. Kruger. I am pleased to announce today the other members of the board, whose names are appended to this statement.

I am informed it is the board's intention to begin a series of hearings on August 10, 1988, leading to the establishment of industry-wide benchmark rates or rate ranges. The hearings will include the classification system and other issues affecting the setting of industry-wide rates. The board has set a target date of January 1, 1989, to establish its benchmark insurance rates.

MULTICULTURALISM AND AGEING

Hon. Mrs. Wilson: It gives me great pleasure today to rise to share with my colleagues three initiatives, which the office for senior citizens'

affairs is undertaking in support of this government's commitment to Ontario's multicultural society.

The ranks of Ontario's elderly are growing, and this trend is accompanied by demographic changes occurring within our multicultural population. These initiatives will respond to the needs of this growing and diverse segment of our society and help ensure that all citizens will continue to enjoy the access and the opportunity that characterize life in Ontario.

I am pleased to announce that the office for senior citizens' affairs has supported the publication of a literature review of ethnicity and ageing. This study was conducted by Dr. Milada Disman of the University of Toronto's faculty of medicine, department of behavioural sciences, in conjunction with the program in gerontology, and will be released next month. Ethnicity and ageing will help us to understand the concerns of our ageing multicultural population and assist those who work with the elderly to address their individual needs.

Second, with the support of the Ministry of Citizenship, we will be publishing our Guide for Senior Citizens in Chinese, Italian and Portuguese, to extend its current availability in French and English.

Finally, I am pleased to announce, again thanks to the support of my colleague, the Minister of Citizenship (Mr. Phillips), that the Ontario Advisory Council on Senior Citizens is conducting a series of public discussions throughout Ontario on the subject of multiculturalism and ageing. These consultations will help us to explore attitudes towards ageing in a multicultural society and provide direction for our future planning.

I believe it is fitting to announce these initiatives during June, senior citizens' month. In doing so, we have expanded upon the theme of "opportunity is ageless" to include the richness and diversity of Ontario's multicultural communities.

RESPONSES

AUTOMOBILE INSURANCE

Mr. B. Rae: I just say in response to the Minister of Financial Institutions (Mr. R. F. Nixon) of the province, who has announced yet another giveaway to the insurance companies, that he might have added, for example, that Canadian general insurers made \$1 billion in 1986 and made \$1.65 billion in 1987. It was a record profit-making year for the insurance

companies in 1987. He has now given them another present.

He might also have mentioned, if he were trying to be as straightforward as I know he would want to be, that the Premier (Mr. Peterson) of the province said during the last election campaign, and how well I recall these words some 10 days before election day, "I have a definite plan to reduce rates." If he had a definite plan, that plan is out the window, gone, flown like the bird of last summer, like all the Liberal promises, destroyed by the cynicism of a government which knows no limits in terms of what it will do to the poor consumers of this province.

Interjections.

Mr. B. Rae: I'm feeling much better.

Mr. Breaugh: You ought to see him when he is well.

Mr. Speaker: Order.

SHELTER FOR THE HOMELESS

Mr. Breaugh: I want to reply to the statement made by the Minister of Housing (Ms. Hošek) tabling the final report of the minister's advisory committee on the International Year of Shelter for the Homeless.

It is a fine document. I believe it gives us a good analysis of the problems that are there and identifies the biggest single problem, which is land. How ironic it is that the province of Ontario itself owns 90 per cent of the land mass, the biggest single problem in housing is the cost of land and it is made worse by the fact that the Treasurer of Ontario (Mr. R. F. Nixon) wants to become a land speculator in the midst of all of this.

It identifies that some of the biggest single problems they run into are within the various ministries as they try to preserve their own turf and at the same time respond to the needs of our community. It identifies that land speculation and speculation in housing is a major problem and is causing all kinds of hardship for people. It has some startling numbers attached to it. For the first time, it says in a report tabled in this House that 200,000 households are affected by homelessness.

It is refreshing to see that they did a thorough job covering even the needs of native people, who very often in the middle of Metropolitan Toronto are totally forgotten. There are people who are native aboriginals to this country who have no home either.

I was quite pleased when I read this report this morning. The thing that turned it around for me today was that I had a second report on my desk this morning, from a group called Aldebrain Housing. They went to the ministry last year with a proposal for something that is not done very much here: They wanted to build nonprofit housing for disabled persons. They have a community board. They went to the Ministry of Housing last year. The Ministry of Housing, oddly enough, referred them to a consultant, and they were quite happy with the consulting firm, Gibson Consultants.

Gibson Consultants got them in touch with a private developer, the Leacock Holding Co., and they found a site owned by the Metropolitan Separate School Board here in Toronto. All things seemed to be working: public property already owned, assisted by the ministry.

How ironic it is that the same private developer who helped them put together their proposal also put in a similar bid on the exact same site. The housing for the disabled is forgotten; the housing for the luxury condominium market is embellished by another 20 units. How sad that on the same day we see such great promise and such hard work in one report, we see another report that shows the actual reality of what this ministry is doing: nothing.

ELECTRICAL POWER

Mr. Morin-Strom: Just a brief comment on the statements of the Minister of Energy (Mr. Wong) in regard to the introduction of amendments to the Power Corporation Act. The initiative appears to be a positive one. The province is attempting to assert authority, according to the statement of the minister, in the area of energy. However, we would like to hope that the bill itself in fact does contain more than the promising rhetoric, and certainly more than the rhetoric we heard from the Premier (Mr. Peterson) last summer when he made his commitment that there would be no free trade deal if we were going to lose in all these areas, such as energy.

Here we have an initiative that is required. I would hope that we get something positive out of this, not just the protection of our right to control our own energy resources, but that the minister will act to see that Ontario Hydro is stimulating economic development throughout the province through this new bill.

SHELTER FOR THE HOMELESS

Mr. Cousens: The queen of social housing has at last released a report on social housing.

She has been sitting on it since April 1, three months' delay. We are used to delays, but it is, again, another delay. I commend those who worked on it. They must wonder if it is ever going to be read when it takes as long to get it printed. But none the less, to what extent, I wonder, did the Minister of Housing (Ms. Hošek) influence the recommendations and decisions of the committee, because I see they are very good recommendations in many respects; but it also becomes a political whitewash for many of the recommendations that were made by the Peterson government during its election stampede last summer.

I do not see this government following all of the recommendations. I wish they would. The fact that, early on, they laid into the need for co-operation and working together with the nonprofit sector is, I think, a fundamental rule and a cardinal rule that it will be very difficult for this government to follow through. I question that the strategies being followed by the government will improve or enhance existing housing starts. It is discouraging right now to landlords and tenants alike, and the fact is that we have the Planning Act being withdrawn from this House because the government is not ready to do it. There is not a housing statement, there is not a housing policy and we have not had any announcements that will affect and improve upon the services in Metropolitan Toronto, so it is more words.

WINE INDUSTRY

Mr. Sterling: I would like to respond briefly to the Minister of Consumer and Commercial Relations (Mr. Wrye) on the Wine Content Act, which we are going to see this afternoon. We find the Liberal government with another shadow to box. The Wine Content Act proposes a 12-year phase-in period for adjustments to take place in that industry. While we would like to believe that we would be allowed 12 years to have such a phase-in period, we are not unmindful of what the European countries are saying with regard to the General Agreement on Tariffs and Trade.

This is merely, in our view it appears at this time, a direct confrontation with the federal government over the free trade agreement whereby it has agreed to a seven-year phase in. Therefore, we feel that perhaps the introduction of this legislation may be untimely in terms of trying to get the best deal for our grape growers in the final analysis. In fact, what the General Agreement on Tariffs and Trade may be forcing the Ontario government to do in the final end is to

give us less than seven years. We only feel that, by doing this, the Ontario government is precipitating a more urgent situation in the end. Therefore, we are somewhat chagrined that the Liberal government is again using another side door to try to circumvent the federal government in attaining a free trade agreement with the United States.

AUTOMOBILE INSURANCE

Mr. Runciman: In responding to the Minister of Financial Institutions (Mr. R. F. Nixon) with respect to the interim increase for the auto insurance industry, we have suggested from the outset, in terms of the government's initiatives, that it is heading down the wrong path and that it entered the slippery slope towards government-run auto insurance when it initiated Bill 2, and this is further proof of that fact.

They are flying by the seat of their pants. We had some of the members of the industry who took increases in 1986 and, in effect, with the government's freeze, got the interim increase in 1987 and now have been awarded another increase. There is no equity in terms of the way the minister is approaching this, but he has to do something or he is going to start losing a great many insurance companies in the field in this province. In any event, the ultimate achievement, if you will, of this government with respect to auto insurance is going to be running most of the private sector out of the business.

ELECTRICAL POWER

Mr. Runciman: With respect to the comments of the Minister of Energy (Mr. Wong), again, this is very disappointing. When we take a look at Ontario Hydro's position with respect to free trade, it said that Ontario is going to be the major beneficiary of free trade. The Premier (Mr. Peterson), in response to a question of mine a couple of weeks ago, was not even aware of that recommendation.

The minister should be doing more to get Ontario Hydro under control. His leader said it was a monster out of control, and they are doing nothing in that respect. We have Ontario Hydro with no debt repayment plan. Over 50 per cent of their revenues are going towards the repayment of their debt. They have 2,400 redundant employees they do not want to deal with. They have a very expensive building, to say the least, which is being constructed in North York to house those redundant employees. Let's see the minister do something meaningful and get Ontario Hydro under control.

TRANSLATION OF REPORT

Mr. Harris: Mr. Speaker, on a point of privilege: I have a very brief point of privilege concerning the document, the report that was tabled today by the Minister of Housing (Ms. Hošek), *More Than Just a Roof: Action to End Homelessness in Ontario*. I thought the precedent had been set by the Ministry of Housing with the Thom report, that these reports were very important from a housing viewpoint and that they would be translated into French. I notice there is no French translation of this particular report. Other than the fact that this one is after the election and there is no need to hold it up, I wonder why this document is not being translated and released in French as well.

Mr. Speaker: I have listened very carefully. It certainly is not a point of privilege. I suggest the member may wish to use question period to ask the minister that question.

[Later]

Mr. Harris: Mr. Speaker, could I rise to correct the record?

Mr. Speaker: To correct your record?

Mr. Harris: Yes.

Mr. Speaker: Yes.

Mr. Harris: Thank you, Mr. Speaker. Earlier today I made comments on a matter of privilege that you ruled was not a matter of privilege, and I concur with your ruling. That did not allow the Minister of Housing to get up to give her side of the story. It had to do with—

Mr. Speaker: And you are correcting your record?

Mr. Harris: Yes, I am, sir, and I am explaining to you why I am doing it. The Minister of Housing did not have an opportunity under the rules of the House to respond. I indicated my concern about the lack of a French translation of the housing report. I understand there is a French translation; I did not receive it. I received two English ones and one with some of the pages printed upside down, but I am told there is a French translation and I would like to indicate that to the House.

SIDNEY HANDLEMAN

Mr. Sterling: Mr. Speaker, could I ask for unanimous consent to note the passing of one of our former members of the Legislature.

Agreed to.

Mr. Sterling: It is with sadness that I inform the Legislature of the passing of Sidney Handle-

man, a former member of this Legislature for the riding of Carleton, which I now represent.

I first met Sid Handleman in a nomination contest in 1971 after I graduated from the bar admission course. There he defeated me on the final ballot to represent the Progressive Conservative Party for the riding of Carleton in the 1971 election.

While it is hard for any politician to say he is happy that he lost and really mean it, I truthfully can make such a statement. Of course, there were personal reasons behind that particular statement or position I took, but I soon realized after his election that Sidney Handleman was making a much more significant contribution to the people of Ontario than I ever could have at that time.

Prior to becoming a member of this Legislature, Sid served his community, his party and his church in a number of ways. Just to name a few, he held executive positions in both local and provincial Progressive Conservative associations, was president of his community association, served as a school trustee and was involved in alumni associations as well as offering his administrative services to little league baseball in eastern Ontario. Incidentally, Sid was quite an athlete and played triple A baseball in his youth.

1410

In recognition of his background as an economist, Sid was appointed to the cabinet in 1974 and remained there until 1977, when he resigned due to health reasons. Sid served in two very demanding portfolios, the Ministry of Housing and the Ministry of Consumer and Commercial Relations.

This morning I talked with former Premier Bill Davis. He spoke warmly of Sid's dedication, hard work and ability. All members of the Legislature who had an opportunity to engage Sid in debate knew only too well of these attributes. Sid Handleman was a very principled politician, and he was always willing to fight for those principles in any forum.

Even though one might have thought he would have indulged himself in big-picture issues as a skilled economist, Sid always fought for his riding, for eastern Ontario and for the less fortunate in society. It is somewhat ironic that while I was unaware of Sid's illness, this past Wednesday I paid tribute to him at a function at Sir Guy Carleton Secondary School in the city of Nepean, only the day before he passed away. I was telling the teaching staff a story of how a politician can make a difference.

If bureaucrats at Queen's Park had had their way back in 1978 or 1979, Sir Guy Carleton

Secondary School would still be on the drawing board. Sir Guy Carleton is a school for basic-level students, a school to give those who need a little extra help that needed assistance. Even though there was no lobbying by the parents of these students, Sid Handleman would not stand by and watch their needs ignored. I remember the meeting well, as I was present when Sid twisted the then Minister of Education, Tom Wells, to make the announcement over the objections of the Ministry of Education. Tom made the announcement and time has proven Sid Handleman right. Sid believed every child, especially the disadvantaged, should be given a fair shake. There was no better fighter for their needs than he.

In addition to all of this, Sid had a great deal of love and loyalty for his family. In 1980, Sid retired from politics to spend more time with his wife, Ruth, his son, Perry, and his daughter, Carol. Ruth Handleman has been a tremendous partner in the successful life of Sid Handleman. I want to express my deepest sympathy to her and her family on behalf of myself and our party. Sid Handleman gave much of his life to the people of Ontario and serves as an outstanding example of dedication and service for each and every one of us here in this Legislature.

Mr. B. Rae: I want to say a few words on behalf of my colleagues on Mr. Handleman's passing away. Sid was a friend to many of us in public life, even those—I might even add, especially those—who did not agree with him. I knew him principally at airports, where I first met him. He was always ready for a lively discussion on the issues of the day.

I met him after he had left the political scene and just as I was about to enter it. I know that all of us will want to reflect on a life that was lived with vigour and with commitment. He earned many, many friends in many parties, not because we agreed with his point of view but because we agreed with the vigour and the sense of humour with which he expressed himself.

He was a man of commitment. He resigned from the cabinet because he did not feel he could, in conscience, continue. He was somebody who never was afraid to express his point of view as a private member in this House, something which I know all of us look upon with a sense of refreshment.

I, too, Mr. Speaker, want to make sure that you pass on our condolences and sense of loss to Ruth and to all the members of Sid's family as we bear the news of this sad loss.

Hon. Mr. Conway: On behalf of the government I want to extend our condolences to the Handleman family on the passing of Sidney Handleman, a former member of this Legislature and a well-known resident of the national capital area.

I was listening with great interest to what the member for Carleton (Mr. Sterling) and the member for York South (Mr. B. Rae) said about the late Sidney Handleman. I think both of them said he was a man not afraid to express himself, and that is probably the memory I will cherish most about Sid Handleman.

I remember, when I was first elected, sitting over just about where the member for Rainy River (Mr. Hampton) now finds himself and Sidney Handleman being on this side. A more lively, feisty Tory or member of the Legislature I do not ever remember. I used to kid Sid about what his life in cabinet must have been like, particularly as we dealt with the great issue of the mid-1970s, which, as I recall, was rent review.

In fact, I was just saying to the Treasurer (Mr. R. F. Nixon) that I remember the night in the spring of 1977 when I think he and the late Mr. Handleman got together to give us the reason for the 1977 Ontario general election. I forget the percentage about which the quarrel took place, but I think my memory serves me correctly that the Treasurer and the late Mr. Handleman played a significant role in the triggering of that election campaign.

I knew Sid well. I can honestly say that he was someone whom I very much enjoyed doing the business of politics with. I had several conversations with him upon his retirement from the Legislature in 1980. He certainly will be missed.

As the member for Carleton said so very wisely, Mr. Handleman's contribution was very significant apart from the world of this Legislature and politics. To his wife and to his family, I want to say that his contribution to the government and the life and times of Ontario will be long remembered and we express to them our condolences at this very sad passing.

Mr. Speaker: On behalf of all members of the assembly, when the official word is printed and Hansard is official, I will see that a copy is sent to the Handleman family so that your words of sympathy are forwarded.

ORAL QUESTIONS

Mr. Speaker: Oral questions: the leader of the opposition.

[Applause]

Mr. B. Rae: Thank you very much. It is nice to be back.

CONSTRUCTION SAFETY

Mr. B. Rae: I have a question for the Minister of Labour. The minister will no doubt recall the tragic events of last November when a young woman walking down Elizabeth Street outside the Hospital for Sick Children was killed because of debris that came from a demolition site. We now have some very disturbing information coming to us from the Scotia Plaza site and the workers there. Particularly disturbing is the fact that the Ministry of Labour was on the site on June 10 and issued a series of orders that had no compliance date attached to them.

We have heard that chains have been falling, that nuts and bolts have been falling and that hoarding has been taken away in contravention of the act. We also had the assurance from the previous Minister of Labour that never again would it be the case that ministry inspectors would go on to a site and issue compliance orders without a certain date being affixed thereto.

I would like to ask this Minister of Labour, what happened? How is it possible that when contraventions of the act are clearly cited by his own staff, there would be no dates or enforcement attached to compliance orders that were issued on June 10?

Hon. Mr. Sorbara: I think the answer to that question is a simple one. During the period when those orders were issued, a good deal of the construction industry was not operating because of a strike while workers and constructors negotiated new agreements. Under those circumstances, compliance orders were issued without a particular date because it was not reasonably possible to predict when the work that was required by the order could be completed, as a result of the fact that there were no workers there on the job to do the work.

1420

Mr. B. Rae: I can tell the minister that if he is arguing that in fact no work was taking place on the site at the time when the inspectors visited, if that is the point he is trying to make, then he is just completely, flat wrong. That is not correct. Workers were on the site, work was being done on the site and the problems that were cited by the inspectors related to work that in fact was being done at the time. The minister cannot hide behind a strike in the construction industry as his excuse; it just is not good enough.

By way of supplementary, I would like to ask the minister if he can tell us why it is, when the

same company that is building Scotia Plaza is in fact now engaged on a new project called Bell Canada Enterprises, which is going to be going up almost right next door to the Scotia Plaza site, there is no health and safety committee at the Bell Canada Enterprises site, nor is there a health and safety committee on any site apart from the Scotia Plaza and the SkyDome? Why is it that a year into this government, there still is not a law in effect that requires health and safety committees on construction sites in the province?

Hon. Mr. Sorbara: Just to clarify my response and the retort of the Leader of the Opposition, I want to make it perfectly clear to him that during the construction strike some orders were issued without a specific deadline. Since the resumption of work, additional orders have been issued and all of those have deadlines. I am told as well by my officials that all orders have been complied with.

The workers' health and safety committee at Scotia Plaza has worked relatively effectively, and I remind my friend the Leader of the Opposition it was back on September 4 that for the first time this government required, by ministerial order, that a joint health and safety committee be set up at Scotia Plaza. We subsequently took the same action at SkyDome. Both of these are very large projects, and it was our view that they should have joint health and safety committees in place with workers' committees as well, which could feed information into the joint committees.

I tell him as well, and I think he knows, that as we contemplate and prepare for legislative revisions to the Occupational Health and Safety Act, the issue of structuring and requiring joint health and safety committees on construction sites is obviously going to be part of that package. I have told him before and I reiterate here during question period that I hope to have a bill bringing forth very substantive amendments probably in early fall.

Mr. B. Rae: It took death at the Scotia Plaza site to get a health and safety committee there. It took the fact that Don Smith was running the SkyDome site to get the government to realize that from the point of view of optics there had to be a health and safety committee. We have had a 40-foot chain dropping, we have had nuts and bolts dropping, we have inadequate lighting on many of the floors of the Scotia Plaza—all brought to the attention of the inspectors of the ministry by the committee and nothing has been done.

At a time when construction is taking off in this province and when this government takes so much satisfaction in saying how much work in fact is going on and how successful and world class the construction industry is, I think we are entitled to ask the minister, what is world class about a situation where people die on the job because the work is unsafe, where people walking by get killed because stuff is falling down and, apart from the two that have already been mentioned, there is not a single construction site in this province that has a health and safety committee because of anything this government is doing? What is world class about that?

Hon. Mr. Sorbara: If through all the shouting and screaming from the other side of the floor the Leader of the Opposition is suggesting that at the Bell Canada Enterprises project there ought to be a health and safety committee mandated by the minister, I will take that suggestion seriously. But he knows full well that it is not a question here of optics, either at Scotia Plaza or at the SkyDome project. At Scotia Plaza, the workers' committee has been meeting regularly every week since it was mandated by my predecessor, and the joint health and safety committee has been making major improvements to that project. At the SkyDome as well it is not a question of optics; it is a question of management working effectively with workers to ensure that those workplaces are safe.

I just want to tell my friend the Leader of the Opposition that he will soon see a bill in this Legislature that will bring about very substantial changes in the area of construction health and safety. In the interim, if he has suggestions as to how we might proceed, I will certainly welcome them.

Mr. B. Rae: The minister seems a little touchy about the suggestion that if it is working so effectively at two sites, why not extend it everywhere else.

Mr. Speaker: Your question is to which minister?

RENT REGULATION

Mr. B. Rae: My new question is to the Minister of Housing. I am sure the minister will have read or had brought to her attention the story of the tenants on Shallmar Boulevard which is contained in today's Toronto Star. We are told that the building was sold by Chanteclear Towers to Beaux Properties International Inc. for \$2.4 million on April 30, 1987, and on May 19, as spring follows winter, the new landlord filed for a rent increase of 10.2 per cent. We now have the

landlord, in 1988, asking for a further rent hike of some 30 per cent.

I would like to ask the Minister of Housing a very simple question: What is she going to do for those tenants at 11 Shallmar Boulevard to ensure that they are not facing a rent hike of some \$1,650, which is precisely the figure they will be facing if this rent increase goes through?

Hon. Ms. Hošek: The rent review legislation will make sure that no tenant pays an unjustified rent increase and that the concerns that tenants have about their rent increases will be met by very careful analysis of what it is the landlord is asking for, very careful analysis of his claims of expenses. No tenant in that building will face unjustified rent increases.

Mr. B. Rae: One of the problems is that tenants frequently face increases that are justified.

Since I had a fair sense of what her answer would be, I wonder if I could draw her attention to an example that has already been awarded by rent review in which tenants living at 15 Erskine Avenue are going to be facing rent increases of at least 10 per cent for each of the next five years because of the financial and economic loss provisions of the rent review legislation. That is a minimum of 10 per cent for each of the next five years.

Again, seniors, in many respects, live in these buildings on fixed incomes. Their incomes do not go up 10 per cent a year, yet that is the minimum they are going to be facing, plus any increases caused by landlords saying: "Gee, we'd like to fix up your apartment, and you're going to end up paying for it."

I would like to ask the minister, by way of supplementary, just what she is going to do to make sure that the 200,000 homeless who are described in her report today do not become 220,000 as a result of the kinds of increases that we are seeing approved by her government.

Hon. Ms. Hošek: I share the honourable member's concern, in particular for the situation of people on fixed income at a time when housing costs are increasing significantly.

Rent review legislation is only one element of protecting tenants in this province. It is not the only answer.

It is because of the problems of people on fixed incomes and people of low income that this government has made its commitment, which it will follow through on, of building a significant amount of nonprofit housing so that people on low and moderate incomes will have greater choices, more different places where they can

live to give them the kinds of support they need, given the fact that housing prices are increasing significantly in this province.

Mr. B. Rae: On Friday, the Treasurer (Mr. R. F. Nixon) was quoted as admitting in the *Toronto Star* that in fact he agreed a speculation tax was in a sense effective in the 1970s. It did not raise any income, but it did not raise any income because it had the effect of putting a spike on the kind of speculative increases which were going on.

The report which she quoted today and presented to the House said on page 56: "The committee feels that speculative increases at an annual rate in excess of 30 per cent on residentially zoned land are unacceptable." I did not hear her say that in her statement, but I thought I would quote it. It says, it recommends, that politicians seriously consider measures to limit speculation on housing.

Why is there nothing in government policy today which limits speculation on housing, and why in fact is the minister doing nothing to limit that speculation? It is affecting tenants. It is affecting people who want to buy. It is affecting everybody in this province. It is making a mockery of security of tenure, security of housing, having a roof over people's heads in this province at a time when we should at least be able to provide that.

Hon. Ms. Hošek: In the report of the committee on the International Year of Shelter for the Homeless indeed there is a passage dealing with the cost of land. I am equally concerned about the cost of land.

The answer that we propose to give to that is to increase the supply of zoned land significantly by working with municipalities, by making sure there is a greater supply of land, which will mean that the cost of land will be more likely to be stabilized and have a significant effect on the price of housing in this province.

1430

1987 CONSTITUTIONAL ACCORD

Mr. Harris: I have a question for the Premier. Several weeks ago, when the hearings on the Meech Lake accord first began, he stated that, in his opinion, the accord would not adversely affect charter rights. Since that time, the committee has heard a great deal of testimony on the issue, much of the testimony from constitutional experts and women's groups who took the opposite point of view.

As a result of the volume of testimony to the contrary, surely the Premier must realize that this issue is far from resolved in the minds of many

Ontarians. I would ask him, in the light of that, why will he not agree to refer this matter to the courts.

Hon. Mr. Peterson: I appreciate the honourable member's point, and there has been a lot of discussion about that point. I know my honourable friend wrestled with that in the committee.

I guess the best advice I could give my honourable friend—and I recognize that there are different legal opinions and different, shall we say, political opinions on the accord—is to look at the views that the Attorney General (Mr. Scott) put forward as the chief law officer of the crown on this particular matter. It is his view, and I am sure he can answer more specifically than I can, that there would not be a particular utility in that at the present time in the absence of a specific matter to refer and that, in fact, in the absence of a specific, shall we say, fact situation, it would not be particularly constructive; it would be theoretical at best and probably would not conclude anything.

Second, I think he has the view they are not in jeopardy, and after my honourable friend has wrestled with that and, I am sure, looked at the legal opinions of others as well, we are hopeful that he will be comfortable with the position put forward by the committee unanimously.

Mr. Harris: The Attorney General, it is true, did reject the court reference because he said it would be too difficult to draft an effective reference. The Liberal members on the committee, in my view, were ordered to take the same position. Morris Manning, one of the most eminent constitutional experts, who graciously volunteered to assist the committee, differed from the Attorney General and drafted a court reference. Could the Premier tell us what was inappropriate with Mr. Manning's court reference?

Hon. Mr. Peterson: I am not familiar with the terms of Mr. Manning's court reference. With the honourable member's permission, I will refer it to the Attorney General and he can address that question specifically, if I have the member's indulgence in so doing.

Mr. Speaker: That has been referred to the Attorney General.

Hon. Mr. Scott: I had the opportunity to read Mr. Manning's opinion, which I think is attached to the dissenting views of the honourable member and others in the committee. I disagree with him and I think the disagreement is shared by the staff who advised me in connection with this matter.

We feel very strongly that references are best equipped to deal with clear matters that are raised by, for example, legislation. If there were a bill in the House and the question were whether the bill offended a charter right, then that would be an appropriate question to refer to the court. When the question is, however, what are the charter rights in light of the accord, which is essentially the kind of question Mr. Manning wants to submit, that is an unsuitable mechanism.

I have a sneaking suspicion that Mr. Manning agrees with me, because he tried to avoid the difficulty that is presented by the problem he was asked to solve by using the language of the Bill 30 reference, which, of course, is completely inapt for the purpose for which he, at least in my respectful opinion, attempted to use it.

Mr. Harris: Perhaps I could then go back to the Attorney General and indicate that Mr. Manning expressed no such reservations when he drafted the reference. Since there is a doubt and a difference of opinion among a number of legal experts about whether it is appropriate or not, I would remind him that he, as Attorney General, in the fall of 1985—and he has mentioned it—extended full funding to the separate school system by order in council and simultaneously referred Bill 30 to the courts for a ruling. At that time he said he was going ahead with the extension of funding because he was convinced it was constitutional and he was seeking the court ruling only to reassure the public and put that constitutional issue to rest.

I would ask the Attorney General, in view of the disagreement both on the appropriateness and on whether in fact charter rights are affected, why he felt it was more important in the case of Bill 30 than he does in the case of the charter rights that affect half of this population to refer it to the courts and to reassure people on Meech Lake, as he did on the Bill 30 reference.

Hon. Mr. Scott: It is difficult to answer the question without repeating exactly what I have just now said, but as there is apparently a radio-television man going around doing cheap imitations of me, I want to take this chance to speak fully and answer the question frankly, so that there will be lots of material upon which these mock imitations can be drawn in the future.

Perhaps in that context I will repeat the answer I gave to the honourable member, which is simply this: It is the view of the ministry and my view that it is not appropriate to refer questions which require, in effect, an essay-type answer, "What are the charter rights in light of the

accord?" It is only appropriate to refer questions that require a specific answer, "What does this particular bill mean?" or "What does this bill do in terms of a specific right?"

We have carefully canvassed that, and we frankly do not think that, even if an assurance was required of the type the honourable member seeks for the public, a court would be willing or able to give that kind of assurance in the light of the issues the accord presents and its connection with the charter presents.

HOUSING AUTHORITIES

Mr. Cousens: I have a question for the Minister of Housing. Some 150 municipalities are taking advantage of deregulation and directly purchasing natural gas from western producers at a substantial saving.

The Ontario Housing Corp. has had an agreement in place since February 1988 to purchase natural gas on behalf of Ontario housing authorities. Could the minister tell this House the amount of savings the Ontario Housing Corp. has passed on to the authorities due to this agreement?

Hon. Ms. Hošek: I cannot give the member the exact number. I think what has happened as a result of the deal that has been struck with Alberta has meant that the cost of maintaining our buildings all over the province has in fact been contained, but I will be glad to give the honourable member the exact number as soon as I am able to find it.

Mr. Cousens: The understanding I have is that the ministry is not planning to pass on any of the savings it is going to make, which are going to be substantial. The fact of the matter is that the agreement that was struck between the Minister of Housing and the Ontario Housing Corp. for this has not involved any of the communities, she has not informed them, and she has not included them in the savings that are coming about.

In fact, the Metropolitan Toronto Housing Authority found out about this through an article in Maclean's magazine. When they inquired about the savings, the answer they got back from the director of housing field operations said,

"Due to the political sensitivity of the gas purchased by OHC, both as a crown corporation and as a residential consumer of gas, details of the contract were not publicized and some require confidentiality."

Mr. Speaker: And the supplementary?

Mr. Cousens: Why is the ministry depriving housing authorities of the savings they are entitled to, or will the minister make a commit-

ment here in this House today that they will get those savings?

Hon. Ms. Hošek: The honourable member will know very well that the cost of maintaining the Ontario Housing Corp. stock, of which there are 84,000 units all over the province, is significant. That cost includes the usual maintenance costs plus services to tenants. We are running no surplus in that account. It is costing us significant amounts of money. Even if you factor in whatever savings there were on the energy side, there is still a significant cost to be borne by the province, through OHC, for all the housing that we own and manage in this province. In that sense, there is nothing to pass on to the housing authorities in the way of a saving.

1440

Mr. Cousens: I just find this very surprising. We all know there are 84,000 units. We know that the energy bill is close to \$30 million for those units, and some \$14 million of it would go into Metropolitan Toronto. We know that through this kind of negotiation of energy savings the savings are over 23 per cent; that is over \$6 million. That is not just small change. We also know that the housing authorities are in a crisis around the province.

What the government is doing, by holding on to this windfall, is depriving the local housing authorities of needed financial assistance. It is contrary to the statements being made by the Minister of Energy (Mr. Wong) to pass through the money to those areas that are going to benefit by it. First, the Minister of Housing is being secretive and confidential about what is happening; second, she is being insensitive to the work that has to be done by the housing authorities.

Is this confidentiality and this skimming of the profits and the savings that are being made a case of mismanagement or a de facto case of insensitivity by this government to the needs of the housing authorities?

Hon. Ms. Hošek: I much admire the member's method of asking questions. Let me say once again that the local housing authorities are creatures of the Ontario Housing Corp. The Ontario Housing Corp. is funded by the province. It is costing a significant amount of money to maintain the buildings that we own and to give the tenants in this province a reasonable place to live that is well cared for, well heated and well taken care of. There is no surplus in that account. That is a significant amount of money we are spending. I am very glad to see we are able to keep those costs in some kind of check.

Mr. Jackson: Come on, it's a double standard; you allow for a discount in the private sector, but you don't allow for it in the public sector. It's a double standard.

Mr. Speaker: Order. Perhaps I should remind the member for Burlington South of standing order 24(b). I hope he will look it up.

NATIVE LAND CLAIM

Mr. Wildman: I have a question for the Minister of Natural Resources. When are the minister and the Attorney General (Mr. Scott) going to stop their Abbott-and-Costello act on the Temagami/Red Squirrel Road/Lady Evelyn-Smithwater Provincial Park area? How is it that the Minister of Natural Resources can be quoted as saying that this really rests with the Attorney General—"It's up to him"—while at the same time the Attorney General said: "As for the road, that is a Natural Resources road. Mr. Kerrio will deal with that. I'm not in the road-building business." Who is in charge? Who's on first?

Hon. Mr. Kerrio: Of course, we have quite a serious situation in regard to the Temagami road. I would think that if the member were to analyse what was written very carefully, he will find out that indeed we do both have a role to play and that in many cases they overlap each other. I am perfectly willing to share with the honourable members the circumstances that relate to my ministry, as I am sure the Attorney General would be very willing to share with the assembly where he is involved.

I do not find it odd that we should be talking about various areas where there is an overlap and where there is not real distinction. I do not find it difficult to understand that circumstance at all, as the member does.

Mr. Speaker: Supplementary, the member for Etobicoke-Lakeshore.

Hon. Mr. Elston: Oh, they finally let her up.

Mr. Wildman: She's on second.

Mrs. Grier: I am happy to be on second, Mr. Speaker. I am not quite sure to whom I should address the question.

Interjections.

Mr. Speaker: Order.

Mrs. Grier: All I know is it sure ain't cricket. Surely the Minister of Natural Resources must acknowledge that he has made what is already a complex situation even more difficult to resolve by the decision to proceed with the Red Squirrel Road. Will the minister not agree today that no construction should proceed on that road until he

and/or the Attorney General have resolved the land claims issue?

Hon. Mr. Kerrio: I think that many very important determinations were made in that part of Ontario in Temagami, that we did in fact make Lady Evelyn a true wilderness park. We added waterways parks to it to complete the circuit. To decide that we were going to take the initiative to remove a major road through Lady Evelyn Park, I think we are doing things in a way that have never been considered before in that area. By July 1 I will have set up a chairman and a group that will make a model of that whole area as relates to replanting, recreation and all of the things that we do there.

I think this government has been most responsible in attempting to resolve a very serious problem. I would hope that instead of sitting over there criticizing, the members might get off their ends and help us resolve the problem.

TRANSPORTATION OF DANGEROUS GOODS

Mr. Runciman: My question is for the Minister of Energy. Being the fair fellow I am, I gave the minister notice of this question earlier.

It should be noted that my colleague, the member for Burlington South (Mr. Jackson) wrote the minister about this incident three months ago, to which he has yet to receive a reply.

In February of this year, a car owned by an Ontario Hydro employee was stolen in Hamilton and recovered in Bracebridge. In the trunk of the vehicle was radioactive cobalt 60. Will the minister tell the House whether there was anything on the exterior of this vehicle to indicate that the radioactive material was in the trunk?

Hon. Mr. Wong: I wish to thank the honourable member for notifying me within the past hour of this question. Being the fine fellow that he is, I want to give him a proper answer.

My staff has informed me that my office had apparently been in touch with the office of the member for Burlington South on April 25; but just to make sure I answer the question properly, the safe handling of radioactive materials is taken seriously by Hydro and by the specific divisions that are involved.

I might point out to the honourable member that it is—I am just trying to find the exact title of the legislation—the Dangerous Goods Transportation Act which governs the transportation of these materials. I can assure the member that Hydro has complied with the act.

Mr. Runciman: After notice from me and three months following the receipt of a letter from the member for Burlington South, the minister does not know the answer to a very basic question.

It must be made clear whether this car was properly marked with an appropriate warning that this radioactive material was in the trunk of the car. I think in the interest of public safety it is imperative. One does not have to study this matter in great detail to realize the potential disaster that could have occurred had this material gotten into the hands of juveniles or if the vehicle were involved in a traffic accident.

Will the minister tell the House: Is it not Ontario Hydro policy to clearly mark such a vehicle? If not, should it not be?

Hon. Mr. Wong: First of all let me say that now that I am aware of the matter, I will certainly make sure that the member for Burlington South and the opposition critic will have a full and proper answer. I will check into that specific point.

I wish to put the problem into perspective. Hydro has in this case complied with all of the packaging and transport regulations. I might add that the amount of substance that we are talking about is equivalent to that contained in two household smoke detectors. I think that we must comply with the act but I think in this particular case, as I have said before, Hydro did comply.

1450

SOFT-DRINK CONTAINERS

Mr. McGuinty: I have a question for the Minister of the Environment and I want to thank him for the question.

The regional municipality of Ottawa-Carleton has recently passed a resolution to ban the collection and disposal of soft drink bottles made of PET, which is polyethylene tetrathalate. Will the minister tell the members of the Legislature what can be done to assist Ottawa-Carleton and other municipalities that want to reduce the amount of solid waste by banning PET products?

Hon. Mr. Bradley: To the member for Ottawa South, who asked a very good question, there is actually a very straightforward and simple solution to the problem; that is, it should be included in any recycling program, because by including it in a recycling program, it does not then get into landfills or incinerators. Of the four local municipalities, Gloucester, Nepean, Ottawa and Kanata, which recycle in the Ottawa-Carleton region, I think it is only Kanata that at

the present time recycles the PET bottles. The recycling is 10 tons a year in that regard.

I know people are striving to find solutions, but the trouble with the solution they suggest in the resolution is that it says they would not collect PET bottles. I think the solution is in fact to collect them and recycle them. I think we are going to see a growing recycling business for all of these products, even the plastics that have proved to be the most troublesome. I think we are seeing markets quickly developing for these right across North America, and it is my view that they can be recycled. I suggest the municipalities involved might contemplate renegotiating the contract with Laidlaw to ensure the PET bottles are included in that.

Mr. Speaker: Thank you.

Hon. Mr. Bradley: Certainly we can provide information from the Ministry of the Environment to assist the municipalities.

Mr. Speaker: I recall the minister saying he had a short, straightforward answer. Supplementary.

Mr. McGuinty: The region of Ottawa-Carleton's resolution also suggests that PET soft-drink containers should have a deposit. Does the minister believe that the use of a deposit will help reduce the amount of PET going to landfills for disposal?

Hon. Mr. Bradley: We had an opportunity in 1985. We looked at the problem, which was unresolved at that time, of soft-drink containers to determine what would be the best way of dealing with them. The politically easy answer and the one which is popular politically is simply to say that you put deposits on them, as though that somehow solves the problem.

In fact, it does not solve the problem of recycling a number of materials, so what we chose to do in 1985 was to use soft-drink containers to drive the wheels of recycling in this province, and it has been very effective, I want to tell the member. By putting them in the blue box, which I consider to be the best kind of recycling—the curbside, blue box recycling—we have been able to generate other products in that box besides soft-drink containers. They include cans that are used for something other than soft drinks. For instance, they include newspapers. Some places are even involved now in corrugated cardboard. There are a number of different products that can be included, so we think that is the preferable route to go.

I want to indicate as well that at the present time they must have at least a 40 per cent

refillable ratio among those products that are even used at this time. We are promoting recycling at the municipal level. I want to assure the member, just to show him how effective it is, that we expect to have the one millionth blue box delivered to a home in this province in September of this year.

OFFICE OF THE WORKER ADVISER

Mr. Hampton: My question is for the Minister of Labour. He will remember that two months earlier I asked him about the serious backlog of cases at the office of the worker adviser in Thunder Bay. We have now had released the standing committee on resources development reports for 1987, and the indications are that the list now goes back to January 1987. In other words, the worker adviser office in Thunder Bay is just now getting around to dealing with cases that came to it in January 1987. Workers in that office, if they come in to see the worker adviser, are being told, if they need more than just basic advice, to go away and come back in two years' time.

Mr. Speaker: The question?

Mr. Hampton: I want to ask the Minister of Labour, since these are people who are trying to fight a battle over worker's compensation, and many of them have little or no income, what is the minister doing to provide more resources to the worker adviser offices, specifically in Thunder Bay?

Hon. Mr. Sorbara: One thing that we have done, probably the most significant thing that has been done in a number of years, is to introduce legislation that will make the workers' compensation system fairer so that individual claimants will not have to come to an office of the worker adviser.

Just by way of example, I want to tell my friend that so many of the cases being dealt with now by the office of the worker adviser are individuals who have a permanent partial disability but whose pensions, under the current system, are simply inadequate. If he reads the legislation carefully, he will see that it provides for the section that deals with providing a supplement to those individuals to come into effect when the bill gets royal assent.

I just want to tell my friend the member for Rainy River that one of the most effective things he can do in order to deal with that backlog is to help us get that legislation passed very quickly so that we can take the arbitrariness out of the system, provide a reasonable pension for existing

claimants and deal with some of the workload in those offices in that way.

Mr. Hampton: What the Minister of Labour describes seems to be a back-door solution that really does not address the issue.

If he reads through the report to the standing committee on resources development, he will see that across the province now the backlog is something like 3,383 cases: 3,383 people who have been injured on the job, and all they want is justice. They simply want a chance to have the case appealed, and they need help from a worker adviser.

All we are asking is that some money be made available for the worker adviser's office so that these people can at least have a chance at justice. No more paperwork; just some more resources. Can we have that?

Hon. Mr. Sorbara: I just want to tell my friend the member for Rainy River that, with regard to his bringing of statistics to this question period, those statistics are not new to me or to anyone in this House. I am certainly aware of the kind of backlog we are experiencing in some offices of the office of the worker adviser, and within my ministry we are investigating ways in which to deal with that backlog.

I want to be quite frank with him. If I had my preference, we would deal with the backlog overnight, but that is not possible. It is simply not possible to provide the additional kinds of resources within this fiscal year that would provide enough advisers to ensure that we could deal with those cases more expeditiously.

I am not saying this particularly to the member for Rainy River, but I have heard some suggestions that from now on MPPs are not going to do any more constituency work on workers' compensation cases. I hope that will not be the case, because we do have a backlog there and we are looking at ways in which to deal with the backlog. In the interim, I am calling upon all of us to continue the work we have done traditionally as MPPs to ensure that those cases get handled expeditiously.

Mr. Speaker: Before I recognize the next questioner, the Treasurer has a response to a question previously asked by the member for Sudbury East (Miss Martel).

LONG-TERM DISABILITY INSURANCE

Hon. R. F. Nixon: The question had to do with the conflict between the payments from Sun Life for disability and Canada pension plan. I am pleased to report that Sun Life has responded to this concern by indicating that it has reinstated

full payment of Ms. St. Louis's disability payments until her case can be fully reviewed.

In more general terms, I am advised that the practice of deducting CPP disability benefits from payments under private long-term disability insurance policies is commonplace. Such coverage is integrated with existing disability compensation programs such as workers' compensation and the Canada pension plan. This avoids the incidence of overcompensation and helps keep insurance premiums as low as possible.

While the integration of various disability benefits seems reasonable in theory, Ms. St. Louis's case shows that, in practice, it may operate to cause hardship to the disabled worker. This is due to the fact that several months might pass before the CPP portion of the entitlement is received. Although the CPP payment is retroactive to the date of disability, the beneficiary will not receive his or her full entitlement during this initial period.

1500

Miss Martel: I thank the Treasurer for looking at the individual case that we sent to him. I am advised, though, by the people at Sun Life that it is quite common practice, and we have now had more than one phone call concerning the same type of thing happening to other individuals.

I would like to go back to the Treasurer and ask him if he will not now take a look at the fact that this type of practice and this type of policy should not be permitted to be used by insurance companies. Insurance companies should not be allowed to offer these to employers, because it is causing all kinds of financial hardships for more than the people we have mentioned. I am sure there are a number of people in the province who are in the same boat. Will he guarantee to this House that he will look at that and make recommendations on changing the policies presently in place?

Hon. R. F. Nixon: I am glad the honourable member asked that supplementary. This issue is currently being reviewed and discussed between the Canadian Life and Health Insurance Association and Canada pension plan. I have instructed the superintendant of insurance to monitor closely the progress of these discussions and to be prepared to intervene with the industry if it appears that consumers are not being treated fairly. On this point the government currently has legislation before the House that would expand the government's capability to act to prevent the conduct of these unfair practices.

MADAWASKA TRUST PARK

Mr. Pollock: I have a question for the Minister of Natural Resources. I am sure he is aware of the Madawaska trust park being proposed for eastern Ontario. This park would actually take in portions of the crown land in five counties and would amount to one million acres. Is the minister opposed to this park?

Hon. Mr. Kerrio: I would not be designating it if I were opposed to it, I do not think. It is kind of an odd question, but maybe the member is going to give me a little more information along the way.

Mr. Pollock: I gave the minister the information; I told him the park was being proposed. This would actually stop hunting, mineral extraction, logging, fishing and trapping in this particular area, and that would seriously affect the economy in that area. Is the minister going to try to stop this particular park?

Hon. Mr. Kerrio: Not at all. Now that I understand the question, I would like to share with the honourable member the fact that when we first inherited the parks policy of the former government, there was some commitment to multiple use in all the parks across the province. I must say that that decision has been reversed. The reason for it is that we were going to protect wilderness parks and nature reserves, but in many parks, such as the one the member has described, there could very well be, on a park-to-park basis, hunting in that park.

It is not an exclusion right across the board; it is an exclusion where we should have excluded, in the case of wilderness parks and nature reserves, the multiple use concept. I think it is being very well received. I can give the member, on a one-to-one basis, considerably more information, but I am sure the people of Ontario are going to be pleased to be able to do their thing in various parks, but not right across the board. When we excluded mineral exploration in a wilderness park, and logging and some of the things the member has described, I think it is in the best interests of those people who enjoy parks to be able to enjoy a park to their liking and their choosing, that they will have a wilderness park—

Mr. Speaker: Thank you very much.

DRINKING AND DRIVING

Mr. Adams: My question is for the Attorney General. I was shocked to learn that this magnificent summer season is one of the annual peaks in deaths and injuries from drinking and driving. My question is simply this: What is the

government doing to reduce accidents which result from drinking and driving?

Hon. Mr. Scott: I can only respond for what my ministry is doing. The honourable member will know that the Ministry of the Solicitor General, which deals with the Ontario Provincial Police and the Reduce Impaired Driving Everywhere program, is also extensively engaged in this program.

The first thing I can tell the member is that we have recognized that we have had some success at the Christmas season with our advertising and public education programs. This year, we have taken our total annual budget and have decided to apply it in a fairly intensive campaign over the summer months because, as the honourable member notes, the summer months are in fact, of all the seasons of the year, the most dangerous risk to life from those who drink and become impaired on the roadway. So we will be devoting all our advertising dollars to the summer program.

In addition, our Arrive Alive program, which is a program run by young students in high school designed in each community from which they have been chosen to alert their neighbours and friends to the risks of impaired driving, has been funded again this year and is working at a more intensive level. That will be under way as well.

That is only the tip of the iceberg of activity that I could identify for the honourable member.

Mr. Adams: I thank the minister for that. My riding of Peterborough is in the midst of the beautiful Kawartha Lakes, and at this time of year our population more than doubles. As a result of that, there is a great increase in deaths and injury on both water and land from drinking and driving. Can the minister do anything to lower this toll in tourist areas such as my riding of Peterborough?

Hon. Mr. Scott: The honourable member's supplementary, which enables me to carry on my catalogue but which I will respond to directly, is heightened by the fact that, for example, Peterborough and district in the summer is one of the most dangerous places to be if you are concerned about the impacts of impaired driving. That is on the one hand, and is obviously a reflection of the fact that it is a cottage community as well as a thriving metropolis.

On the other hand, it is significant to know that a town like Peterborough has one of the oldest community organizations in Ontario devoted to fighting the consequences of impaired driving.

What we seek to do is to give these local organizations, which have worked very hard

over a long period of time and which have produced some really good results, particularly at Christmastime, the ammunition, through programs and advertising and through Arrive Alive in their own community, to spur them on to see if we cannot begin to make the changes that we demonstrated over the past three or four years we have been able to make at Christmastime.

SPEECH PATHOLOGY

Miss Martel: I have a question for the Minister of Health, and it is concerning speech pathology services offered to adults in the Sudbury area. The minister will know that a number of speech pathology services are being operated in the community through a number of mechanisms.

The Sudbury Algoma Hospital is offering services to preschool children, and both school boards have hired full-time therapists to deal with the elementary school system. Adults, however, can only receive therapy services at one facility, Laurentian Hospital, and only on an inpatient basis. The hospital did operate an outpatient clinic up until a year ago. At that point they were forced to cut the services out completely because they had a two-year waiting list and no more funding to provide for therapy services. Adults in the region now have no choice but to get services through private speech therapists.

I would like to ask the minister what plans she has to respond to this type of need in the city.

Hon. Mrs. Caplan: In fact, the ministry is constantly reviewing, with the assistance of the district health councils, the need for services in communities around this province. We are very mindful of the needs of northern Ontario, and I am sure the member will be aware of the joint initiatives by the Ministry of Health, the Ministry of Community and Social Services and the Ministry of Education in providing a model for service delivery in the north.

Miss Martel: The minister should be aware that Laurentian Hospital in fact submitted a proposal to the Ministry of Health in May 1987 requesting funding for two more speech therapists to operate the outpatient clinic. The hospital has yet to hear any word at all from the ministry in this regard.

I want to bring to the attention of the minister then the case of Richard Dupuis, who suffered a stroke and now needs speech therapy services. This was not available through the hospital, so the family had to contract through private operators. The cost of that was \$60 an hour weekly. The family can no longer afford to pay

and has been forced to halt the treatment, to the detriment of his recovery.

I would like to ask the minister when we can expect the ministry to approve the funding so that the hospital can get on with the business of responding to the needs of adults in the community.

Hon. Mrs. Caplan: The member for Sudbury East raises a very important issue, and that is how we plan for the expansion of services in this province. We discussed in this House on a number of occasions the need to have predictability in hospital budgeting across the province so that we can identify our priorities, working with the district health councils and then, as resources are available, prioritize and target where those resources should go.

As she knows, I have made significant progress in working with the hospitals. I believe we will have in place the kind of process for good planning that will allow us to respond to the needs of the people of this province as resources become available.

1510

ROUGE VALLEY

Mrs. Marland: My question is for the Minister of the Environment. As he knows, the Scarborough council will be voting tonight to amend its official plan to preserve forever the recreational enjoyment of future generations in the Rouge Valley.

The minister and his Liberal government, the major land owners of the Rouge, have yet to take a position on the future of this area, which actually is rather unbelievable. There are so many competing interests for this land right now that a clear statement from the province is necessary and everyone should be able to know and feel assured about their intentions.

Will the minister tell us today what his government will do? Will it fully support the Scarborough council's decision to protect the Rouge Valley?

Hon. Mr. Bradley: I think it would be presumptuous of the government to intervene before the decision is made. I know the member, as a former municipal councillor—as I am—would have this same point of view, or at least I suspect she would; she would look upon us as being Big Brother or Big Sister or whatever the provincial government might be called if we were to intervene in these kinds of matters before such time as we have received the input.

As for the comment the member makes about the meeting that will take place, the information

which will come from that meeting will be very valuable in assisting the provincial government in regard to the particular use of the lands it owns. The municipality will indicate very strongly as a result of this meeting, as will others, what it believes should be the appropriate use of all pieces of that land. The government will want to ensure that it takes into account what the local municipality wishes to see as a use.

I can assure the member, as I have on many occasions, that I will continue to share with my colleagues the environmental desirability of preserving parts of the Rouge Valley. It depends, I guess, on who you talk to as to just how much they would want to see preserved, but there is some very unique—

Mr. Speaker: Thank you. There might be a supplementary, and the minister might have more information for that.

Mrs. Marland: It is really interesting to hear this minister talk about this government not wanting to be Big Brother when you think of the Planning Act amendments. I find it just colossal that he is now talking about wanting to hide behind the skirts of the Scarborough council and wait for its decision. We are waiting for the Minister of the Environment to protect the environment, and that is the basis of my question.

The people in Scarborough have been asking for the support of this ministry on this particular issue. In fact, this is not a new issue. The provincial plan for the Rouge Valley lands goes back as far as 1970 when these lands were designated for park land at that time. It is about time that this Liberal government came to its senses to implement this plan and support the people's will that the plan be implemented to keep open the last green door of Metro Toronto.

If it were not the decision of this Liberal government to support the will of the people of Scarborough and the Scarborough council, then what is it that the Minister of the Environment is going to permit on these lands? Is he going to permit housing, a landfill dump or—

Mr. Speaker: Order. You asked the question.

Hon. Mr. Bradley: The assumption of the member for Mississauga South that the Minister of the Environment shall determine what is on these lands, what shall be the disposition of these lands, of course does not correspond with what the jurisdictions are within the provincial government.

Many of her colleagues who have served would know that, for instance, the ownership of land is under the jurisdiction of the Ministry of

Government Services and that the development of parks, which have been discussed by many, and the conservation authorities are under the jurisdiction of the Ministry of Natural Resources.

I, as the Minister of the Environment, have considerable interest in protecting the environment and those areas which are particularly unique and which I think the member would agree with me are particularly unique.

Mrs. Marland: Have you seen it?

Hon. Mr. Bradley: The member asks, "Have I seen it?" I have most certainly seen it on a number of occasions, and I am sure in a more extensive sense I will see it once again.

I assure the member that as the Minister of the Environment, I have expressed and will continue to express a point of view on this particular land that I think she would share with me. I know she would want us to take into account all the input from various people, including the local municipalities, the conservation authority, the Ministry of Natural Resources and others.

RETIREMENT COMMUNITIES

Mr. Owen: I have a question for the Minister of Housing. A couple of weeks ago, I asked a question about protection for people who live at retirement communities and the availability of the rent review board. At that time, the minister assured me it was available to help them. However, there are 152 householders in the Sandy Cove retirement community who advise me that it does not protect them and that rent review is not available to them. These are people who originally leased their properties between 1976 and May 1. This year, while other people in that community are looking at an increase of the usual 5.5 per cent, these people are facing 40 per cent increases. I would like to ask the minister, what is available to help or protect them?

Hon. Ms. Hošek: The difficulty the tenants face is that they signed a long-term lease with the owner of the property prior to rent review and prior to the property coming under rent review. So while that long-term lease is in effect, unfortunately, they of course must abide by the contract they signed.

Mr. Owen: Is anything possible or being considered by the minister to help these people? They are not provided with any audited statement as to where the maintenance expenses are going. They have no way of fighting back. They have no way of coping with this 40 per cent increase. Will the minister consider doing something for them?

Hon. Ms. Hošek: I share the frustration of the member and, I am sure, of the people involved in

this, but when a long-term contract has been signed, there is no way we can intervene in that. However, as soon as that contract is finished, the tenants will of course be subject to the protections of rent review.

In this case, the tenants have ended up having to pay more than they would have liked. In other cases, a long-term lease might have protected them against unwanted increases. It is one of the things that happens with long-term leases. I am extremely sorry this is what the people there face, but we cannot intervene in a long-term contract.

Mr. Speaker: That completes the allotted time for oral questions and responses.

PETITIONS

ABORTION

Mr. Pope: I have individual petitions signed by over 2,000 residents of Cochrane South:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"The Supreme Court's decision on January 28, 1988, regarding the abortion laws struck a powerful blow on all those who believe in the sacredness of human life. I am writing this letter to urge you to use your influence to ensure that upcoming legislation will safeguard the life of the unborn, because life begins at conception. I request that you pass an amendment to section 251 of the Charter of Rights overriding the court's decision until the federal government has an opportunity to form a new law. As a voter, I will be paying close attention as to what is done."

It is signed individually by over 2,000 residents of the city of Timmins.

1520

RETAIL STORE HOURS

Mr. Pope: I have another petition:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We are opposed to open Sunday shopping and want to retain a common pause day in Ontario."

It is signed by approximately 80 residents of Timmins.

There is a petition as well from the corporation of the township of Black River-Matheson of similar import.

PENSION BENEFITS

Mr. D. S. Cooke: "To the Honourable the Lieutenant Governor and"—it says "the House of

Commons," but I am sure they meant the Legislative Assembly:

"We, the undersigned, wish to petition against the proposal to pay for indexing of pensions by the employee, which is an unacceptable pay deduction."

It is signed by a number of people in Ontario.

TEACHERS' SUPERANNUATION FUND

Mr. D. S. Cooke: I have a second petition:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"To amend the Teachers' Superannuation Act, 1983, in order that all teachers who retired prior to May 31, 1982, have their pensions recalculated on the best five years rather than at the present seven or 10 years.

"This proposed amendment would make the five-year criteria applicable to all retired teachers and would eliminate the present inequitable treatment."

It is signed by 41 teachers in my riding.

TOWN OF CLEARWATER

Mr. Smith: I have a petition to the Honourable the Lieutenant Governor and the parliament of Ontario from approximately 800 ratepayers in the new town of Clearwater, who are protesting the 72 per cent increase in policing costs to just rural residents, and also the 5.5 per cent general increase in taxes. As I said before, it is signed by approximately 800 people from the town of Clearwater.

ROUGE VALLEY

Mr. Faubert: I have a petition addressed, "To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas the Rouge Valley system contains an abundance of natural beauty and sites of historic importance and archaeological significance; and

"Whereas the Rouge Valley system is a unique oasis of nature found within the boundaries of Metropolitan Toronto; and

"Whereas the Ontario government has a continuing commitment to the environment through its generous support programs towards preserving the Rouge Valley system and the Carolinian forest and the historic and archaeological sites contained within;

"Therefore, we, the undersigned, hereby petition the government of Ontario to give every consideration to the various alternatives available to them to ensure that the Rouge Valley system be preserved so that future generations may have the opportunity to enjoy them. These alternatives include a provincial park or a national heritage park."

The petition is signed by 130 residents of Ontario. I have signed my name thereto, and I present it for active consideration and a positive response by the government.

TEACHERS' SUPERANNUATION FUND

Mr. Campbell: "To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"To amend the Teachers' Superannuation Act, 1983, in order that all teachers who retired prior to May 31, 1982, have their pensions recalculated on the best five years rather than at the present seven or 10 years.

"This proposed amendment would make the five-year criteria applicable to all retired teachers and would eliminate the present inequitable treatment."

This petition is signed by a number of people from the Sudbury district and is supported by myself.

NOISE BARRIER

Mr. Mahoney: I have a petition:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"Whereas the sound attenuation barrier along the south side of the Queen Elizabeth Way between Mississauga Road and Erin Mills Parkway is on the current five-year construction program; and

"Whereas the construction of this sound barrier along the south side of the highway will cause a deflection and an increase in the noise level along the north side;

"We, the undersigned residents along the north side of the Queen Elizabeth Way, within an area bordered by Mississauga Road North, the North Sheridan Way and Springbank Road, wish to petition the government of Ontario to expedite review of the construction priority list and to designate that the noise attenuation barrier along the north side of the Queen Elizabeth Way between Mississauga Road North and the Erin Mills Parkway takes a top priority in the upcoming schedule."

It is signed by 434 concerned residents, and I have also signed the petition.

TEACHERS' SUPERANNUATION FUND

Mr. Ballinger: I have a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario. It reads as follows:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"To amend the Teachers' Superannuation Act, 1983, in order that all teachers who retired prior to May 31, 1982, have their pensions recalculated on the best five years rather than at the present 7 or 10 years.

"The proposed amendment would make the five-year criteria applicable to all retired teachers and would eliminate the present inequitable treatment."

It is signed by 203 persons, and I have signed it myself.

TAX INCREASES

Mr. Sterling: I have a petition, signed by over 5,000 irate taxpayers in the province of Ontario, which reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"The Ontario budget contains excessive tax increases which are a direct attack on the middle class. We object and we demand that the government repeal these taxes.

"Further, we say, 'Bob Nixon, you've gone too far.'"

RETAIL STORE HOURS

Mr. Reycraft: I have a petition addressed to His Honour the Lieutenant Governor and the Legislative Assembly of the province of Ontario. It reads:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Our very strong opposition to opening of retail stores for Sunday shopping."

It is signed by 139 people from eastern Ontario.

I also have a petition addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario. It reads as follows:

"We the undersigned beg leave to petition the parliament of Ontario as follows:

"We are opposed to open Sunday shopping and want to retain a common pause day in Ontario."

It is signed by approximately 100 people from the Toronto area.

CONTROL OF SMOKING

Mr. Sterling: I have a petition which reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"In memory of 12,630 Ontarians who died" prematurely "from tobacco-related diseases in 1985, we support Bill 3, the Non-Smokers' Protection Act. We understand that this legislation is before the Legislature to protect Ontarians from tobacco smoke. We urge the members of the Legislative Assembly to support its speedy passage and not allow the tobacco lobby to delay or weaken this vital legislation. The lives of Ontarians are at stake."

REPORT BY COMMITTEE

COMITÉ SPÉCIAL DE LA RÉFORME CONSTITUTIONNELLE

SELECT COMMITTEE ON CONSTITUTIONAL REFORM

M. Beer du Comité spécial de la réforme constitutionnelle présente le rapport du Comité sur la Modification constitutionnelle de 1987 et propose l'adoption de ses recommandations.

Mr. Beer from the select committee on constitutional reform presented the committee's report on the Constitution Amendment, 1987, and moved the adoption of its recommendations.

Mr. Beer: Just very briefly, I understand that debate on the report will probably begin later this afternoon or tomorrow. I simply want to note that the committee is unanimously recommending that the Legislature ratify the Meech Lake accord and has proposed a series of recommendations for future constitutional reform.

À la suite d'une motion présentée par M. Beer, le débat est ajourné.

On motion by Mr. Beer, the debate was adjourned.

INTRODUCTION OF BILLS

WINE CONTENT AMENDMENT ACT

Hon. Mr. Wrye moved first reading of Bill 167, An Act to revise the Wine Content Act.

Motion agreed to.

1530

POWER CORPORATION AMENDMENT ACT

Hon. Mr. Wong moved first reading of Bill 168, An Act to amend the Power Corporation Act.

Motion agreed to.

DISTRICT MUNICIPALITY OF MUSKOKA AMENDMENT ACT

Hon. Mr. Eakins moved first reading of Bill 169, An Act to amend the District Municipality of Muskoka Act.

Motion agreed to.

Hon. Mr. Eakins: This legislation, which has been unanimously requested by the councils of the district and the local municipalities, will create a full two-tier planning system in Muskoka. At present, the authority to adopt official plans and amendments is assigned only to the district level. The proposed amendment will enable all local municipalities to prepare and adopt their own official plans and amendments, as is the case in most other two-tier municipalities.

AGGREGATE RESOURCES ACT

Hon. Mr. Kerrio moved first reading of Bill 170, An Act to revise Several Acts related to Aggregate Resources.

Motion agreed to.

Hon. Mr. Kerrio: Today, I am introducing a bill known as the Aggregate Resources Act which will substantially improve the way aggregate resources are managed in this province. The act I am proposing will consolidate and expand the existing legislation covering aggregate extraction. It will replace the Pits and Quarries Control Act, incorporate and replace quarry permits from the Mining Act and replace the Beach Protection Act.

For the first time, all aggregate operations, whether they be on crown land, private land or under water, will be covered under a single statute. The new act puts more emphasis on environmental concerns and aggressively promotes the rehabilitation of pits and quarries located on private land. It also gives municipalities a greater hand in licensing and reviewing pit and quarry operations and will ensure they receive some financial compensation for the inconvenience, the costs of pit and quarry operations in their areas.

Moreover, this legislation will improve our ability to enforce the provisions of this bill by giving us the power to immediately suspend the

licence or permit of companies that violate the law.

The act will also allow for better management of aggregate resources on crown land. Better site plans, better operating records and better rehabilitation will be required.

I believe these changes reflect and address the concerns of the municipalities and local residents, while at the same time assisting industry by providing a clearer set of guidelines. I look forward to all members' participation in the passing of this bill.

ASSESSMENT AMENDMENT ACT

Mr. Philip moved first reading of Bill 171, An Act to amend the Assessment Act.

Motion agreed to.

Mr. Philip: The purpose of this bill is to exempt from taxation land rented or leased to a church or religious organization, if the rental or lease agreement makes the church or religious organization liable for the taxes.

I have another bill amending the same act.

ASSESSMENT AMENDMENT ACT

Mr. Philip moved first reading of Bill 172, An Act to amend the Assessment Act.

Motion agreed to.

Mr. Philip: The purpose of this bill is to extend the time for notice of appeal of a decision of the Assessment Review Board to the Ontario Municipal Board from 21 days to 60 days.

ORDERS OF THE DAY

MINING AMENDMENT ACT

Hon. Mr. Conway moved second reading of Bill 132, An Act to amend the Mining Act.

Mr. Speaker: Does the minister have any opening comments?

Hon. Mr. Conway: Yes, the long-awaited opportunity for me to put my first amendments under the Mining Act has arrived, and as my parliamentary assistant sits very patiently to my immediate left, he can certainly take some credit for this, because he has provided in this, as in all matters in the Ministry of Mines, very good advice and wise counsel.

I am introducing a bill to amend the Mining Act. This bill really consists of three minor amendments which will ensure more efficient administration of the Mining Act by mining recorders across the province.

The first amendment will allow mining recorders to correct records of mining claims where administrative errors have occurred. Such dis-

crepancies can occur for a variety of reasons, including new interpretations of the provisions of the Mining Act by the mining and lands commissioner which may vary from previous administrative practice.

As noted in the most recent report of the Provincial Auditor, the current Mining Act contains no provision for correcting records of claims technically in danger of forfeiture. This provision does exist, however, in other government legislation, such as the Land Titles Act and the Registry Act, which contain specific provisions whereby a registrar can correct such errors.

The second amendment is to allow regulations to be made to prescribe the types of documents which may be filed in recorders' offices by electronic means. There have been instances, for instance, where individuals have been forced to use airlines to deliver original documents to our offices. Since timing is often critical to ongoing transactions regarding the title to mining claims, this amendment would allow facsimile machines to be used to facilitate business.

The third amendment is to replace provisions requiring the use of registered mail with ones allowing the use of certified mail. In a recent investigation by the Ombudsman, this change was recommended to enable receipts to be kept where the ministry sends out notices of acreage tax arrears. This will allow a better determination of whether or not the holder of mining lands actually received such notice.

This is the sum and substance of Bill 132, and I recommend it for the attention and the approval of the House.

Mr. Pouliot: I am happy to participate, however briefly, in these housekeeping changes. I will take as little time to comment on these minor changes as the minister has taken to congratulate the member who has helped him in this minor task of addressing what has really been—

Interjection.

Mr. Pouliot: Richard, je t'en prie.

—in correcting the problems. We have had a multitude of recommendations emanating from the comments of the ministry audit, and I find it sort of disappointing that the minister has chosen to scratch only the surface of what really needs overhauling. If I were to ask the newly appointed Minister of Mines (Mr. Conway) and government House leader whether things are going well in the mining industry, he would certainly say: "Things are going well. We're not under any pressure." Yet, when I turn to the annual report

of the Provincial Auditor I see quite a different picture.

1540

I am not saying the answers would be contradictory, because I know Mr. Archer, our Provincial Auditor, tells the truth and nothing but the truth. He says so because he is very much aware of what needs to be done to make the Mining Act better.

It is unfortunate that people who feel they have been treated rather unjustly or wrongly by the government have to address the Ombudsman of Ontario. The minister responded only in part to both the recommendation of the Ombudsman of Ontario and the recommendation of the Provincial Auditor. There has really been no initiative from the minister.

I read in the paper: "Questions linger at Hemlo area recording office." The papers are full of these shortcomings, where mining companies are forced to settle in court what is really an uncomplicated matter. Suffice it, if a prospector believes a piece of land has some mineral potential, he can stake a claim. I believe it costs a mere \$10. In order to keep the claim in good standing, he has to work the claim. Even that very basic process, which everyone in mining understands, is rendered cumbersome because of the mining recording method.

That really has not been addressed. What the minister has chosen to do is to replace registered mail by certified mail, something which was pointed out by the Ombudsman of Ontario, so that people will have at least—whenever the mail is moving, that is—a slip of paper in their hands, saying, "Yes, I did endeavour to do such a thing and I can prove it." It is really no big deal.

The minister has failed to understand—certainly he has failed to act promptly; I know he does understand; I have to give him that much credit—about the mentality of the mining people, about the need to be flexible at one time yet to be shown the way, because rules and regulations are not always the order of the day. It is not given to the entrepreneurial spirit of our mining industry.

Hon. Mr. Conway: That is why you are such an uneasy socialist.

Mr. Pouliot: Not a closet socialist. My views as a democratic socialist are well known, although the views of the Liberal Party are better expressed when it is in opposition. That is the only time its members are true liberals.

In conclusion, we welcome the housekeeping measure. The government leads us to believe that more important changes will be coming shortly in the future which will really address the need to

streamline mining procedures and to clear up what has become a cumbersome document over the years; not because it was not well-intentioned when it was first introduced, but because of the lack of follow-through from the present government, which has not been in the least vigilant, and therefore diligent, in addressing the changes that would more resemble the 1980s.

Mr. R. F. Johnston: There are just a couple of things I want to say. I know the member was trying to be as generous as he could be to the Minister of Mines. I thought I should just amplify, perhaps, what he was saying in respect to the diligence and the hard work that has been taken by both the minister and the parliamentary assistant to bring forward this landmark legislation, the first legislation we have seen from this minister since his appointment last year.

They have obviously both been exhausted by their work, as one can see by their pale countenances here today, but this kind of homework is welcomed by all members of the House. I just want them to know how strongly both the critic and I feel about this.

Mr. Pope: I have some remarks to make about this legislation. First, work has been going on with respect to a new Mining Act for some time. It appears that the minister of the day has put that on the back burner and is now proceeding with amendments to the Mining Act with respect to some procedural matters. I have to say that I do not think there has been any clear signal out of the minister as to the concerns of the Provincial Auditor being addressed. I presume that will be forthcoming.

Second, I see no dealing with a potential conflict between competing interests on how the new section 59a will work in those circumstances with potential litigation obviously on the horizon in competing claims in which it appears that the ministry may intervene and clear up the status of an unpatented mining claim, or validate it because of what it considers to be administrative error, even though that administrative error—the presence or absence of it—may have fostered litigation between competing mining interests or may have created a lawsuit between people with overlapping or competing unpatented mining claims that they have staked at various times. So I am not sure how the mechanism to clean up the problems inherent in administrative error will operate in that context.

The second thing is that I hope the minister, in dealing with these matters and in dealing with the new Mining Act, will recognize the distinct difference in attitude and in procedures between

the individual prospectors of Kirkland Lake, Timmins and Thunder Bay and the large mining exploration and development companies that operate out of the great city of Toronto and other centres across Ontario.

Clearly the individual prospectors, steeped in tradition, have different expectations of the role of the government and in the technical requirements of staking and registering claims as opposed to what large mineral exploration and development companies are prepared to accept.

Third, the whole area of land use and the role of the Minister of Mines and his officials under the Public Lands Act and under the Mining Act is something that I believe is about to cause some difficulties for this government. I presume that the minister can enlighten us on how he has co-ordinated the workings of his ministry with the workings of the Ministry of Natural Resources under the Public Lands Act.

Hon. Mr. Conway: I thank my friends and colleagues across the way for their support and for their comments. Let me say that both the member for Lake Nipigon (Mr. Pouliot) and the member for Cochrane South (Mr. Pope) are quite right in pointing out that these are fairly limited amendments. They do not deal with the whole range of issues that have been identified by a number of people under the Mining Act.

I think it is important for me to say to them and to the House that we have tried here to identify two or three areas that we think are of pressing administrative concern. But I have to say to my friend, the member for Lake Nipigon, and to the critic for the third party that we do intend, later this year, to table a green paper on mining and mineral policy that will, I hope, address a number of the more substantive questions, because it is recognized that—and I know that particularly my friend, the member for Cochrane South can appreciate some of the work that has gone on before, some of the work in which he had a very central and active role.

I can tell my friend, the member for Cochrane South, that of course I co-ordinate my work and my activities very closely with our mutual friend, the member for Niagara Falls, the Minister of Natural Resources (Mr. Kerrio). But I can assure the honourable members that on the basis of the discussions that I have had with both my own officials and, perhaps more important, the mining community, prospectors particularly, these amendments do address a very real concern that has been identified by the Ombudsman and the Provincial Auditor, and I am very pleased

that we will this afternoon, I hope, give passage at least to the second reading stage of this bill.

1550

I assure my friends opposite that it will not be long now before they have the opportunity to engage in a more substantive debate on the more substantive questions, because I expect to have a green paper on mining and mineral policy before the Legislature and the province so that the debate can be engaged.

Motion agreed to.

Bill ordered for third reading.

PUBLIC LANDS AMENDMENT ACT

LOI MODIFIANT LA LOI SUR LES TERRES PUBLIQUES

Hon. Mr. Kerrio moved second reading of Bill 137, An Act to amend the Public Lands Act.

Hon. Mr. Kerrio: The Public Lands Act has not been amended for more than 25 years. Many administrative practices are outdated. Eighty seven per cent of Ontario is provincial crown land. Effective, efficient management, protection and disposition of this vast land base requires legislation that is in keeping with the times.

Examples of badly needed amendments or additions that are included in the bill are as follows: a means of depatenting acquired property so that it can be legally opened for prospecting—in the bill, we are going to get patent land that is taken back by the province back into the crown land designation; provision for a multipurpose work program to allow greater control over harmful activities such as dredging or filling shorelines on crown land—many activities that would have taken many permits will now be incorporated into one permit in which we can tick off the kinds of things that are to be undertaken; a provision to clearly authorize the making of regulations for controlling and charging fees for camping on crown lands by nonresidents; a means of shifting from the Ministry of Natural Resources to the persons found to be responsible the liability of costs for clearing up litter and removing unauthorized structures, and updating of service fees. As an example, the ministry's cost of issuing a certificate of voidance to a land owner who applies for one far exceeds the \$5 fee now prescribed in the act.

Members can see that there are many areas that need to be clarified, and I am proposing that this bill will do just that.

M. Pouliot: Monsieur le Président, non qu'on m'ait demandé de remplacer notre critique des Richesses naturelles — je sais qu'il se déplace

actuellement avec peut-être un ou deux amendements — mais ce que le ministre nous propose est loin d'être étranger aux conditions dans lesquelles on demande aux gens du Nord d'exister.

Le ministre sera sans doute au courant du fait que, depuis plusieurs années, nous cherchons, le député d'Algoma (M. Wildman) et d'autres, à améliorer les conditions de vie. Ce qui me surprend aujourd'hui, c'est que ce que le ministre nous propose en ce qui concerne le projet de loi 137, soit une goutte. Non que nous ayons demandé, en tant que citoyens du Nord de l'Ontario, un peu plus que ça; vous savez, Monsieur le Président, on s'est dit que si ça se fait goutte à goutte, ce sera déjà ça. Mais nous demandons quand même qu'un peu plus de substance et vraiment un peu plus de sérieux soient apportés aux sujets sur lesquels nous avons choisi de nous prononcer depuis plusieurs années.

Sans doute que mon collègue le député d'Algoma choisira d'ajouter, avec beaucoup plus de substance, des points positifs, comme il le fait toujours, sur le projet de loi 137. Je vous remercie, Monsieur le Président.

Le vice-président: Questions et commentaires sur l'énoncé du député? If not, do other members wish to participate in the debate?

Mr. Wildman: I appreciate the kind remarks of my colleague the member for Lake Nipigon (Mr. Pouliot) and also the yielding of the floor by my colleague the member for Cochrane South (Mr. Pope). The reason I was not here is simply that I was informed by the House leaders that this would be dealt with later in the afternoon. At any rate, I am happy to leave the committee and return to participate in the debate.

As my friend the member for Lake Nipigon indicated, I, on behalf of our party, will be supporting the legislation, Bill 137. These amendments seem to be housekeeping measures.

Of Ontario's total area, 87 per cent is crown land and under the jurisdiction of the Ministry of Natural Resources. About five per cent of this land is within Ontario's provincial parks and is regulated under the Provincial Parks Act. The remaining, 82 per cent, or 216 million acres, is administered under the Public Lands Act. Only 14 per cent of crown land lies within organized municipalities.

In the past, the fines have been as low as \$50. In this legislation, they would increase from a maximum of \$500 to \$5,000. Also, there are now provisions for removing illegal buildings. Under the old act a person was fined, but the structure remained. In fact, the fine was often seen as a

building permit. The ministry was often left with the removal costs of the offending structure, if it could get it removed easily.

The minister will forgive me for saying that there used to be, on occasion, flash floods or very site-specific fires took place in order to remove certain structures. I am sure they were all of natural origin. Also, I think it is useful that this legislation will allow for the issuance of on-the-spot stop-work orders.

The legislation also streamlines the current act and will provide for multi-use permits, replacing the wide variety now in place. The permit will also control and stop any harmful operations that may be conducted without authority.

The costs of cleanup of unauthorized dumping or filling, as well as the fines, will now be borne by the offender rather than the public, and the ministry will be able to set fees for land use permits or for camping permits or regulating the type of activities on public land.

Frankly, I think the ministry should move as quickly as possible to have this legislation implemented. Our caucus is happy to support the legislation and hopes that it will help to bring into effect real land use planning on our crown lands across the province.

Mr. Pollock: My party is just a little concerned about section 2 of the bill, which basically gives the officer the right to come on to private property without a search warrant, that sort of thing. We certainly have some concerns about that.

I understand that, under the present Game and Fish Act, conservation officers have the authority, right at the present time, to go on private property. I have no quarrel with that, but I would like an explanation, possibly from the minister, of why he wants this particular wording in there.

Also, I understand that people do not know about some of these buildings built on crown land. Then there is an order to take them off, and of course they just walk away and leave them. I am in agreement with that kind of procedure. There is no question about that.

1600

Also, every spring we seem to have a lot of these fish huts left out; for instance on the Bay of Quinte. They should be removed long before the ice gets so thin that people fall through into the Bay of Quinte. That situation exists, I think, right across the province—leaving these fish huts out on the ice after a particular time. Those are a few of the comments I wanted to mention.

As far as increasing the fine from \$500 up to \$5,000 is concerned, our party is certainly in agreement with that.

I do not think we have too many other concerns. As to the part that concerns 25 per cent of land that might go to subdivisions, what does that curtail? That will not interfere in any way, shape or form with the Planning Act, will it? Maybe the minister would like to comment on that.

The Deputy Speaker: Are you finished?

Mr. Pollock: Yes; OK.

The Deputy Speaker: Any questions or comments on the member's statement? Minister, do you want to comment on that member's statement?

Hon. Mr. Kerrio: No, I will respond to all of them.

The Deputy Speaker: Do other members wish to participate in the debate?

Mr. Pope: Very briefly. First, I appreciate the information the minister made available to me. I did have some concerns earlier about yet another work permit, but I have received a satisfactory explanation from the minister that in fact this is a reform of the former system and we will have one work permit under a multiplicity of acts now, with a checkoff system. It will make it easier for the employees of the Ministry of Natural Resources and easier for individuals approaching it for land use or work permits to obtain them. Therefore, it is a change for the better in terms of the bureaucracy and the number of forms and papers that officials of the ministry and private citizens have to use.

I have a long-standing complaint about the number of people in this government who have the right to enter on to private land. That is nothing new. I have expressed it in many forums, including cabinet meetings and internal meetings in the Ministry of Natural Resources when I was the minister. I maintain that opposition. Too many officials of various ministries of the government have the right to come on private land.

The minister, I know, has changed the process, whereby you now need a court order to enter premises. That is a change for the better, and I acknowledge that, but it is the entry onto private land that I am concerned about. It feeds into my whole concern about the number of people from various ministries who have various rights with respect to private property. There are too many people running around claiming statutory authority, too many people entering onto your property, if you are a private land owner, just on a whim and because they think something may be wrong or to do investigations.

Actually, as well, there are too many people with the power to lay charges under various statutes in the province of Ontario or to lay information or swear out information. That is a long-standing philosophical dispute I have, but again that is nothing new for those who have discussed this with me before.

I do have a bit of a concern about disposal costs, about whether or not they are capped. Just from the point of view of Iroquois Falls—and it is not a major problem—a lot of times when we are talking about disposals, we are talking about fish or hunt camps for which there may have existed in the past a land use permit that is no longer in effect, or it may have been long-standing, prior to the use of land use permits as a matter of fact. I think the minister may want to address whether or not there will be a cap or the exercise of discretion with respect to the disposal costs.

The other thing I would like to say is with respect to user fees for facilities owned and operated by the crown on crown land such as boat lifts, boat locks, wharves, trails and boat-cache sites. If we are talking about sites that are now being maintained on a regular basis by the ministry, I think that is appropriate. Many of the boat-cache sites in my part of the province have not been maintained in any way by the Ministry of Natural Resources for many, many years—including during the time I was minister, I might add—and are in fact maintained by others. I would hate to see a user fee for the operation of facilities on crown land that are in fact maintained by other clubs under the community fisheries improvement program or the Canadian wildlife improvement program. I would hate to see fees being registered by the minister for the operation of these facilities or the maintenance of these facilities when it is being done under existing programs by clubs or individuals.

Those are my concerns. I would be the first to admit it is not the most pressing issue of the day, and there are some improvements for the better in this law.

Hon. Mr. Kerrio: I wish to thank the honourable members for supporting the bill. I think most of it covers areas that, as the opposition members are fully aware, have needed some changes over the last while.

The member for Lake Nipigon made some comments regarding the slight movement here. I am inclined to agree with him, but I only witness the fact that he might have been putting in a little time until his gentleman friend got here to make the kind of comments that might be made by the member for Algoma (Mr. Wildman).

Having said that, I still think there was something that was worth responding to there, and that is that when we move forward with these kinds of bills, we have to be quite cautious so that we can give some guarantee that we would be looking to move forward, but these are the kinds of things that seem to be reasonably well accepted on all sides. I think that would be the way I would answer the member for Lake Nipigon.

Mr. Wildman: There's an old hockey term about ragging the puck.

Hon. Mr. Kerrio: As far as the member for Algoma is concerned, of course he has made some very valid comments about the fines, building permits and the problem we had in the ministry to deal with those areas that had quite significant costs involved. While we were able to direct that such things could not continue, we did not in fact recover the costs of cleaning up or doing those things on behalf of the taxpayers of Ontario.

The member for Hastings-Peterborough (Mr. Pollock) talked about one particular issue, and I think I should clarify that one because it is one of significance that the member for Cochrane South had made mention of some time back.

In fact, that part of the bill was changed to address the issue of officers going into occupied dwellings. There is some latitude, maybe more than the member for Cochrane South is willing to accept as an intrusion on the privacy of people's property, but the fact of the matter is that there has been that one removal of the ability of the officer to go into a home. I think that answers the question of the member for Hastings-Peterborough with regard to that.

The member for Cochrane South followed that up with land use removal ability now and work stoppages. I am pleased to say that we now can do things that are in the best interests of controlling buildings, debris and all those things—excavating and dredging on crown land—and that this is not the end of the kind of initiatives we are going to take but, in fact, we will continue to put forward amendments as they become appropriate.

Just in passing, I would also share with the member for Algoma that I had made the commitment that if they pass expeditiously the other couple of bills that I put, I would place in Orders and Notices today the bill that covers the aggregate resources. I would like him to know that I have done that, because I had that kind of pressure put on me.

I thank the members for their support and I would like to move forward with the bill.

Motion agreed to.

Bill ordered for third reading.

1610

[Later]

Mr. Pope: On a point of order, Mr. Speaker: I did not want to interrupt the minister when he was making his statement. The point of order is that when you called for approval of Bill 137 on second reading, I said no and it was not recognized. We were not going to call for a recorded vote anyway, so it would not have affected the procedures of the House, but I just wanted to alert you to the fact that two of us did say no to that vote.

The Deputy Speaker: My apologies. I did not hear you whatsoever, believe me.

Mr. Harris: I think it would require unanimous consent to go back. I assure you it will not take more than 15 seconds. I wonder if we could do that for the record.

The Deputy Speaker: Is there unanimous consent?

Hon. Mr. Conway: We are quite happy to oblige our friends in the third party.

Agreed to.

The Deputy Speaker: I have very clearly indicated to members in the past that if they wish the Speaker to hear them clearly, to say it very loudly. As a matter of fact, I had an infection in the left ear last week and it is only clearing now; a strange coincidence. The fact is that I still wish to repeat my invitation to all members to please help the Speaker by stating your intentions clearly.

Now, where were we? Bill 137, was it not?

PUBLIC LANDS AMENDMENT ACT (continued)

Resuming the debate on the motion for second reading of Bill 137, An Act to amend the Public Lands Act.

The Deputy Speaker: Mr. Kerrio has moved second reading of Bill 137. Is it the pleasure of the House that the motion carry?

Some hon. members: No.

The Deputy Speaker: All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

Bill ordered for third reading.

MUNICIPAL EXTRA-TERRITORIAL TAX ACT

Hon. Mr. Eakins moved second reading of Bill 159, An act to provide for Municipal Taxes in Territory without Municipal Organization.

Hon. Mr. Eakins: This bill deals with a very important issue relating to the townships of Marathon and Manitouwadge, which are located in the district of Thunder Bay. These two municipalities act as dormitory communities for the gold-mining development in the Hemlo area. The three mining operations at Hemlo—Hemlo Gold Mines Inc., Noranda; Lac Minerals, and Teck-Corona—are located in an unorganized area beyond the municipal boundaries. Prior to the development of these mining properties, the province directed that all new residential development take place within existing municipalities.

While the development of the gold mines had a positive economic effect on the area, the influx of new residents also placed substantial pressures on the two communities. Marathon and Manitouwadge have experienced population increases of 35 per cent to 50 per cent over the past two years. Municipal expenditures have increased substantially to accommodate this new growth. However, increases in the local property tax base have not kept pace because the mines do not pay municipal taxes. Although the mines are not physically located within the boundaries of the townships, they are nevertheless an integral part of these two communities.

Since annexation was not feasible for the Hemlo situation, my ministry consulted with the two townships, the three mines operating in the area and the Ontario Mining Association in developing a proposal to provide a source of ongoing revenue for the municipalities. The purpose of this bill is to put this proposal into effect.

This bill will authorize the townships to collect property taxes for municipal purposes from each mining operation. Portions of the property assessment from each mine will be allocated to Marathon and to Manitouwadge according to where the mines' employees are living. The townships will then levy their own municipal mill rates. The taxes on the mines would be calculated, levied and collected in the same manner as the property taxes within the municipalities. Certain necessary provisions of the Municipal Act, the Municipal Tax Sales Act and the Assessment Act would apply to this new bill.

As there is considerable exploration taking place in the Hemlo area, the bill is flexible and will allow the government to include other mines

as appropriate. It will also permit the government to include other municipalities that may become affected by the Hemlo mining development if the situation warrants it.

In closing, let me say that I believe this legislation will provide a satisfactory solution for the relatively unique situation that exists at Hemlo.

Before we proceed with second reading, it is necessary to indicate that I will move that Bill 159 be referred to the committee of the whole House in order that I may introduce a technical amendment due to a printing error.

Mr. Pouliot: I wish to take only a few minutes of the House's precious time to participate in the debate. I remember, actually, that it is An act to provide for Municipal Taxes in Territory without Municipal Organization. I think it should be referred to as the Hemlo bill, because there are some 35 mining municipalities in the province of Ontario that have been asking, for a number of years, that fiscal justice be done.

As a member of the improvement district in the township of Manitouwadge, then as a council member and, later on, reeve for a number of years of the same township, I remember only too well the kind of aggravation we suffered, individually and collectively, as taxpayers and residents of northern communities.

We felt powerless. Time and time again, we went to the government and presented the following case: Why is it that in our small town of Manitouwadge where you have a company such as Noranda Mines, Geco division, base metal operation, in those days making millions and millions of dollars, that does not pay one penny of school tax or municipal tax, while some 65 miles away in the township of Marathon, a company that was at one time hand to mouth, not making nearly as much money as the mining operation 65 miles away, had to carry the major part of taxation for both purposes, elementary and secondary school taxes, and also for the fascinating world of municipal sewer and water taxes?

Time and time again, we were advised by the government that in lieu of taxes we were to receive an allowance under the auspices of resource equalization payment. Actually, it was a sham, for during its best year, the resource equalization payment never generated an appreciable portion of what true, fair assessment would. Nevertheless, we did not have a choice, so we took what we could, which was really, in relative terms, a very small amount.

Within a few years, it mattered little whether you got \$5 or \$35 or \$100,000 with the resource equalization payment, for the government chose to equalize the bottom line. The more you got the more you lost, so the bottom line really was not changed.

With the advent of Hemlo, it became so embarrassing. Here you had a situation by virtue and reason of a blessing—it had never happened before with a sediment formation that you did not have to chase the proverbial gold vein—where you could use base-mining methods, bulk mining, and yet extract gold. Consequently, the Hemlo gold fields came into being; \$100 per ounce was the approximate cost of extraction. Now, it is \$450 or \$470.

If you choose to go to the Chicago Board of Trade and exercise options on the futures market—I am sure that, ironically, my friends to the left or those opposite can tell me about the intricacies of the stock market, about the fascinating world of commodities and futures. I know something about those markets, because I have always wanted to learn about my enemies, about the way the other side operates.

1620

I too can appreciate the \$350 difference. A billion dollars has been spent at Hemlo to put those three mines into operation and we want to wish them well. Those people are the movers and shakers. They will create jobs. They will also create a chance for everyone in the region to look forward to the future with confidence.

The minister will tell me if I am going too far in terms of telling how well the mining industry has done, but with that wealth comes responsibility. Two thirds of the employees at the three mines at Hemlo selected Marathon as a place of residence. Most of the remaining one third were attracted to Manitouwadge. Sewer and water systems had to be renovated and enlarged at a cost of millions of dollars.

Members should remember that there was no assessment here. Not one cent of all that wealth is coming back to those communities. New schools had to be built and new subdivisions opened, with all the social amenities that make life possible.

The minister has said that in the past two years, the population in Marathon went up some 50 per cent, and the process is still going on. When all is said and done, the population of Marathon will have doubled. The population of Manitouwadge will have increased some 35 to 50 per cent when all the figures are in. Yet not five cents of municipal or school board taxes were to be

collected from the richest gold mine in Canada, people with the ability to pay like nowhere else, where the return on investment is so quick, so massive and so consequential that it was, under any terminology or philosophy, unfair.

Everyone has said that. We have said it for years. In lieu of assessment, the present government, recognizing the principle of the argument, chose to make some temporary grants because it was still searching for a formula—\$500,000 in 1986 to the township of Manitouwadge, the same amount to the township of Marathon, and last year an additional \$500,000 to the township of Marathon and \$350,000 to the township of Manitouwadge, claiming, and rightly so but only to some extent, that it recognized the morality and the need to have someone pay taxes the same as everyone else; to have, in this case, the wealthiest employer pay at least a portion of the taxes.

The principle was well taken. The money was consequential, although it was about half of what assessment would generate. It is expected that the assessment of Hemlo for municipal purposes would generate twice as much, on a yearly basis, as the government has said.

I am not appalled because I know the style. I want to get at the real wealth. From the wording of Bill 159, being familiar with the amendment in the Assessment Act, I know that the real wealth is not taxable, only the surface operations at Hemlo are taxable. If you have a milling operation, really, everything is assessed and is therefore taxable. But for the wealth underground, they get away scot-free here. There are no taxes for the real wealth, only for the surface operation.

I say to the minister about White River, for him to be consistent in his approach: He is saying: "We will assess Hemlo for municipal purposes and we will do it in proportion, so that if so many employees go to live in Marathon, they will be getting a certain percentage of assessment. Then the same policy will apply for the township of Manitouwadge." He makes a provision, and it is somewhat ambiguous, but I believe that when he says "other communities," he is talking about White River. It has already happened. I am quoting from the compendium for the legislation, "permit the Minister of Municipal Affairs to authorize, if the need arises, other affected municipalities to collect property taxes from the Hemlo mining properties," a very small percentage.

That need will continue to arise, but really it has arisen. It is a fact now that for some people, not that many—the same philosophy holds true

for White River as well—they should perhaps look at one portion following the formula.

We have some 35 municipalities in Ontario that could legitimately claim that fiscal justice should be done under Bill 159, that if the government's approach holds true, this is really not a special situation. What makes Hemlo so special? Is Hemlo different from the townships of Schreiber and Terrace Bay?

I just received a letter dated June 7, 1988. The person is writing on behalf of the township of Terrace Bay regarding access to assessment of mines located outside municipal boundaries by municipalities which house employees of those mines, and I quote: "Council believes that your plan to provide such access to the municipalities of Marathon and Manitouwadge, in the case of the Hemlo gold mines, is to be commended."

Then they went on to make the same claim for essential services. The mine is about 20 miles away in this case, Minnova Inc. mine. It is a very high-yield or high-grade zinc mine. I think the grade is about 20 per cent of the overall proved ore reserves or the overall ore body, which in mining terminology is almost straight from underground to the furnace.

One is doing very well; they are only 20 miles away, while Hemlo is 30 miles. The same case can be made. Then you could go on and on. Just go back to the recommendations of the mining municipalities of Ontario. I believe there are some 35 mining municipalities. You really have to search long and hard not to apply the same legislation to almost every one of them. One really has to make a good case. One has to be consistent.

I do not believe for one minute that you could have an employer with a workforce of 500 people, or 600 people as in the case of Marathon, generating a profit of \$8 million to \$10 million, being fully assessable, having to pay for the new subdivision for somebody down the line who is making \$250 million net. I have not met a person yet who says that makes sense because it does not make any sense under any rules.

I know this government has only been in power for the past three years. We sense that there is a change, that there is some movement. We also realize in our party that the mining industry needs incentives. It is not doing too badly. People need incentives when times are a little rough. Those things are not cast in stone. At the present time, the price of metal is very, very high. Mining companies are turning in record profits. They are doing very well. They are getting a three-year, tax-free period. It was only

last year that they reduced the mining tax and gave them another 10 per cent break.

Consumers, people at the residential levels, also have to pay for increased recreation, increased fire protection and increased school taxes, and they are saying, "If I pay any more, it's not that I'm going to go up the proverbial wall, but it's less money that I can put into the economy to buy goods and services and it is really unfair."

1630

What we are asking is that people be treated a little more like one another. This is a step in the right direction. We will not propose any amendments, but what we will do is encourage the minister to apply the same formula across the board. It is great that he has responded to the needs of the people in northern Ontario. It would be greater if the same policy were spread across the board. Quite often it is the way one is seen. We would delight in looking at it and saying, "Look, you have come that much closer to a fair and equitable tax system and you have perhaps given us a reason to be less cynical, and you make yourselves more believable."

We want to wish those people well, but with all those millions of dollars they have an added responsibility, meaning that the more you make the more you have to leave. In most cases, they are not leaving a penny, and the pittance the minister is offering in lieu does not even begin to address the shortcomings.

It is a step in the right direction; the minister is to be commended, if I heard the minister. We encourage the minister—I know it is easier standing here than sitting there; I am quite aware of it. But no ifs, no buts. We buy this thing, but we want to see more of it.

The Deputy Speaker: Do some members have questions and comments on the member's statement? If not, do other members wish to participate in the debate?

Mr. Pope: I do wish to have a few words. First, I do not think there should be any doubt that this legislation is the result of a decision, and it must have been a policy decision, by cabinet to impose taxes for municipal purposes on large industrial developments that have a significant financial impact on nearby municipalities. I think that is the policy base of this bill. There should be no mistaking that this is the policy base, and therefore further action with respect to other industries in other areas of the province could happen after 1988.

We understand that the first order of business of this government is the deal with the Hemlo

gold fields. I have a couple of comments about this in light of the fact that it may well apply to other municipalities at other times in the future and to other industries at other times.

In spite of the fact that there may be a feeling, or the ministry may wish to tell the people of the province, that it would only be selectively imposed on rich industries, and not imposed on marginal industries, it is going to have two consequences.

First, are industries going to believe that? Are they, before they undertake capital expenditures, before they make that capital commitment, in effect going to go to the government and seek assurance ahead of time that they will not be subject at any future time to the imposition of this selective tax? If they do not get assurance, will they put the money into capital investment in northern Ontario or not? This is something that obviously the government has decided it is prepared to play with and it will affect the investment climate and potential new investment in northern Ontario.

The second point I would like to make is that because this may be imposed at some future date on other industries, marginal or not, at the whim of the government, will obviously have an impact as well on investment decisions and expansion decisions of existing operations in the resource field in northern Ontario. What steps the government is going to take to assure other industries and other communities—and I presume it has a list of those communities and those industries—that they will not be the next target for the imposition of this legislation is something I would like the minister to address.

Had we had this kind of legislation 20 years ago, the city of Timmins as I know it would not exist. Texasgulf, now Kidd Creek Mines, is some 15 miles from what was the town of Timmins. As a result of that discovery in 1967 we had a one-tier consolidation of four organized municipalities and 14 territorial municipalities, or territorial townships as we call them up there, into one city of Timmins. One of the obvious benefits was to grab the assessment base of Kidd Creek Mines, both its mining plant and its smelter and mill.

Had we had this legislation 20 years ago, the community of Mattice-Val Côté would not exist, nor would Val Rita-Harty, communities that are six to 10 miles separate in northern Ontario in the riding of Cochrane North. I happen to have represented the citizens of Mattice-Val Côté in the Ontario Municipal Board hearing when, for purposes of obtaining assessment dollars from

TransCanada PipeLines, an application to annex those lands and form a new municipality was made.

The government has opted not to go this traditional route of the past, of annexation and municipal restructuring, and has opted to go with the unilateral selective imposition of property taxes on resource developments in northern Ontario. That is a significant departure, and I want to know that this government and this minister have analysed the potential consequences of this significant departure. What vehicle will these industries or potential investors have of addressing this issue?

TransCanada PipeLines objected and appeared before the municipal board to oppose the incorporation of Mattice-Val Côté. Kidd Creek Mines, formerly Texasgulf, had a role to play in the government decision to incorporate the city of Timmins and in fact there were negotiations on the assessment base prior to the legislation being passed.

We know this is just a start of a generic policy of this government to impose this tax as an alternative to other traditional means and I think we have to know the parameters of the government's policy and what it intends to do in the future, not just with this bill in 1988 but beyond that.

We understand that there are some positives to this step. We know that Hemlo perhaps could afford the imposition of this new tax. On what basis the government makes the decision of affordability is not declared and we presume the minister will tell us what that is and whether it will be changed from time to time.

We know it will represent a stable source of revenue for the municipalities which will benefit. My feeling is that one of the consequences will be an encouragement of two things: first, resource operations of higher technology and less workforce, because the tax is being levied on a workforce basis; second, more of an encouragement to resource-based industries to set up town sites in unorganized territories, I think to the detriment of the development of existing municipalities in northern Ontario.

Certainly, we do not need a town site at Detour Lake. We need a workforce that lives in Cochrane, Kapuskasing, Iroquois Falls and Timmins commuting to Detour Lake and enjoying the benefits of life in the existing municipalities. I do not want to see the clock turned back, because of a tax policy, towards the establishment of industry towns in northern Ontario.

We have the municipalities with the social and municipal services to provide a good lifestyle for the workers and their families in northern Ontario. We want to encourage those municipalities. What is the government's position on this potential impact?

1640

We are obviously aware that there are a number of problems that this legislation creates. The collection and distribution of the taxes is going to be very complicated. How many municipalities will be involved in it depends on the number of workers from the resource industry itself and where they reside, whether it is in unorganized territory or organized territory.

We believe that the resource industries will oppose this legislation and have already indicated that to the government. They are concerned about the parameters, not of this bill but of the policy base of the bill and where it leads the government of Ontario.

As I said earlier, we also think this bill will act as a disincentive for the hiring of more workers in northern Ontario.

We know that it is a radical departure because it is a selective imposition of a tax. We also know it is precedent setting in that it extends municipal boundaries for one purpose only, and that is for assessment and taxation, without allowing for an enlargement of municipal boundaries to take care of servicing, transportation and other needs for the people who live in areas surrounding these organized municipalities who would work in these industries.

There are lots of weaknesses and problems associated with the policy decision that this government has made. We believe they are aware of those weaknesses.

We also know that the government is aware that there are many, many municipalities across northern Ontario that could be next in line, municipalities like Sault Ste. Marie, Sioux Lookout, Hearst, Kenora, Atikokan and Chapleau, which have significant resource operations nearby.

We also know that it could affect municipalities that have logging operations out in the bush or small independent sawmill operations in proximity. A list of those municipalities is numerous, some 45 in number. We also know that municipalities like Black River and Matheson that have mining operations nearby in unorganized territories could be next on the list. What are the parameters of this policy decision? What is the list of target industries and municipalities that will be next over the next few years?

We know that all of this must have been considered by the government when it made its policy decision, and we are anxious to hear from the minister exactly what this means for many municipalities and many industries in northern Ontario.

Hon. Mr. Eakins: I am sure everyone understands that this particular bill deals with a unique situation. It was decreed by the previous government through a committee, I believe, that with the development of the mines, the people would live in one of three communities. They chose to live mostly in the two communities of Marathon and Manitouwadge. It is my understanding a very small number, perhaps something like six, live in White River.

I want to say that the province gave interim assistance, pending the development of a long-term formula, which was promised in this case. In 1988, the municipalities will receive a full year of revenues with respect to the Hemlo mines.

I might say also that White River could be included in the future. The bill is flexible. So far, it has little impact on White River, but if this develops in the future, then the bill is able to take care of that.

I might say also that the three mines, which are located side by side, need the municipalities to provide homes for the workers, they have done that, and I believe that this is a very fair bill.

Section 1 of Bill 159 limits the application of the bill to the Hemlo area only. Section 2 sets out the criteria before the bill can be applied elsewhere.

I suppose that, in some ways, members might find some faults with the bill. I believe it serves the purpose for which it was intended, and that is to deal with a unique situation. I know there are those who have concerns about other areas of the north, and there are ongoing discussions in that regard. I personally have had discussions with some of the mayors in the municipalities across the north. But this bill deals with a unique situation, and I feel it is going to deal with the fact that those workers must live in certain communities. It is addressing that issue.

Motion agreed to.

Bill ordered for committee of the whole House.

House in committee of the whole.

MUNICIPAL EXTRA-TERRITORIAL TAX ACT

Consideration of Bill 159, An Act to provide for Municipal Taxes in Territory without Municipal Organization.

The Deputy Chairman: Are there any comments or questions or amendments to Bill 159, and if so, to which sections? Minister, do you have any amendments?

Hon. Mr. Eakins: Yes.

The Deputy Chairman: To which sections are you going to have amendments?

Hon. Mr. Eakins: Subsection 3(2).

The Deputy Chairman: Is that the only one?

Hon. Mr. Eakins: Yes.

The Deputy Chairman: Do I have the agreement of the whole committee that the minister may move down and occupy another seat in the front row?

Agreed to.

Sections 1 and 2 agreed to.

Section 3:

The Deputy Chairman: Mr. Eakins moves that subsection 3(2) of the bill be amended by striking out the definition of "AFDB" and inserting in lieu thereof the following:

"'AFDB' means the assessment equalization factor for the taxable commercial assessment of land of a designated business in a municipal taxing area expressed as a fraction of 100."

Hon. Mr. Eakins: The purpose of the minor amendment is to correct a technical problem in the bill which is a result of an error in printing. The amendment will replace the definition contained in subsection 3(2) with the correct version.

The Deputy Chairman: Would anyone wish to comment on that or ask a question with respect to that?

Mr. Pouliot: I would like to get some clarification. I take it to mean that factor 100 is the formula whereby you can distribute one commercial value as opposed to another one, and you throw in the denominator of so many people residing in one community to the next. If you understand that kind of explanation, we are OK because that is the way I take the minister's amendment to read.

Mr. Breagh: We are simply asking the minister to explain the amendment he has proposed. Could we have that courtesy?

While we are waiting, I would be happy to have the Minister of Revenue (Mr. Grand-maitre), the government House leader or anybody who is theoretically running the show explain what the amendment is that has been put forward this afternoon. Can anybody tell us what it means? I guess the answer is no.

1650

Hon. Mr. Eakins: The two paragraphs were printed the same, and the amendment is simply removing one of the paragraphs. I have the explanation here. It is simply the formula. The equation equals, one, different factors.

Mr. Breagh: Could I get that explanation in one of our official languages now? I do not sense we have a good grasp of what we are trying to do today. There is another minister entering the premises. Is there anybody who really knows what this amendment means?

Hon. Mr. Eakins: I wonder if I might have someone from the ministry just come forward.

The Deputy Chairman: Do I have the unanimous consent of the House to have the staff come to the front? Agreed.

Hon. Mr. Eakins: The first factor is the assessment factor of the mines, and the second factor is for the municipalities.

Mr. Breagh: Could someone try to get this a little more relevant and tell us what the amendment is? What does it mean? I think it would be interesting if we knew that. I would be happy to have the minister's entire staff arrive, if we could get an explanation.

Well, the table is here; this is a good sign. The member for Sudbury (Mr. Campbell) is here; this is a bad sign.

There are two of them. That should do it.

Hon. Mr. Eakins: The first, the AFDB, is to convert the local assessment for the unorganized territories for local assessment and the second, the AFDM, is the formula for municipalities. The way it was printed here both were the same, and of course that was an error.

Mr. Pouliot: Maybe the minister can indicate to me—I am a little confused here. I am quoting the taxable commercial assessment. In a municipality you have three kinds of assessment, residential, commercial and industrial. Will the minister explain to me, if he intends to conduct the assessment under commercial for Hemlo, how does he for Noranda Mines, Geco, which is already assessed using industrial assessment and real commercial assessment?

Hon. Mr. Eakins: I just want to say it is my understanding that all the assessments are commercial and have to be converted.

Mr. Breagh: There really is good reason why amendments are supposedly handed to the opposition critics well in advance of being debated on the floor. It would give all of us the opportunity, with our researchers, to pick out the

nuances. To tell the truth, I have not heard an answer to a pretty straightforward question of, what does this amendment mean?

I think the government would be in good shape if it adopted a policy that no one got to move amendments of this nature. We were not told that such an amendment was necessary during the course of the second-reading debate, or would be brought forward. We would not be in the position of embarrassing the minister this afternoon if we had. We on the opposition side are supposed to know what is meant by an amendment before we vote for or against it.

I have still not heard that explanation. I wonder if the minister and the government House leader would prefer to halt the proceedings on this bill until we get some kind of explanation and move on to the next piece of legislation. It seems to me that although this is not a province-wide or a huge problem, for those communities it is a serious problem. It seems to me, from my understanding of the amendment, that this is the critical one which will determine exactly how many tax dollars go to the municipality.

I think we have an obligation to understand that a little better than any of us on this side do. We have just seen the amendment about five minutes ago. Obviously, the minister and his staff have been unable, in about 10 minutes' time, to provide us with much in the way of an explanation. It seems to me that good sense would have us rise and report and proceed to the next bill.

Hon. Mr. Eakins: I want to clarify that what it means is local assessment in the unorganized territories must be converted to local assessment in the municipalities. This amendment will do that and that is the purpose of it. Clearly, the two paragraphs were printed the same and the purpose of the amendment is to correct that.

Mr. Pouliot: Again, will the minister broadly summarize and try to help me? We can do this together. Explain the process expressed under "as a fraction of 100." I am somewhat familiar—very familiar in fact—with industrial, commercial and residential assessment at the small-town level. In fact, this bill affects the township in which I have spent the last 23 years, and more than 10 of them on the council, from the days of the improvement district and then the municipalities. I have never encountered an expression like this: "...in a municipal taxing area expressed as a fraction of 100." What is that?

1700

Hon. Mr. Conway: I have listened very intently to this debate. I think it might be wise to

do as the member for Oshawa (Mr. Breagh) has suggested. We have a lot of business to attend to. I do not think there is an unbridgeable gap here by any stretch of the imagination.

Mr. Breagh: There is a gap.

Hon. Mr. Conway: Certainly there does appear to be a bit of a gap. What I am going to suggest is consistent with the advice of the member for Oshawa, that we have this committee rise and report, proceed with a couple of other bills which are standing by on the tarmac and that we return to Bill 159 once the minister, perhaps the Minister of Revenue and others have a chance to consult with our friends in the opposition to allay any suspicions, fears or concerns they might have.

Having done that, I would not be at all disappointed if someone moved that the committee rise and report; I so do.

On motion by Hon. Mr. Conway, the committee of the whole reported progress.

MOTOR VEHICLE REPAIR ACT

Hon. Mr. Wrye moved second reading of Bill 22, An Act to regulate Motor Vehicle Repairs.

Hon. Mr. Wrye: I am delighted, having sat on the tarmac for some period of time this afternoon, to be okayed for takeoff.

I am pleased to introduce for second reading what I think is an important piece of consumer protection legislation, namely, the Motor Vehicle Repair Act.

During debate on the bill, I am going to be introducing a number of amendments to the first-reading bill. These amendments will be discussed as we proceed with clause-by-clause review of the legislation.

The many measures included in the bill are intended to incorporate honesty and fairness into one of the largest sources of consumer complaints, one which I think is understandable to all members of this assembly.

All too often, we hear from consumers who have been hit with repair bills which exceeded, unhappily, their wildest expectations or who have been stung by unnecessary or by poor-quality repairs. What we need is legislation that takes the surprise element out of repair bills, legislation that puts an end to the sloppy and unethical practices of some who have injured the good name of the many reputable repair outlets in this province.

I believe the act now before us for second reading helps to accomplish these objectives.

To eliminate surprises, we are placing emphasis on disclosure. Under the act, outlets will be

required to post signs stating repair rates and methods of calculating charges. Written estimates, including any related fees, must be provided on the consumer's request, and invoices are going to have to be itemized.

To back these disclosure requirements, the bill limits actual costs to no more than 10 per cent of the estimate and allows repair outlets to charge only for authorized work.

To deal with the problem of unnecessary repairs, the act requires outlets to return removed parts unless advised upon authorization of the work that the customer does not require their return.

To encourage improvement of the quality of work, the bill calls for mandatory warranties on repairs for new and reconditioned parts and associated labour. This requirement will not apply, obviously, and we will be moving an amendment in committee to this effect, when the customer supplies the parts or indeed where the parts are misused or abused.

Should the vehicle become unsafe or inoperable while the warranty is in force, consumers will be able to recover original charges. The original repairer will be given the first opportunity to rectify the problem only if it is practical for the consumer.

As records of warranty work are sometimes required by the consumer, the legislation requires that invoices be provided for warranty work unless there is no charge to the consumer.

An additional benefit to consumers will be the way the bill helps keep down the cost of auto insurance by prohibiting repair outlets from charging higher rates to insurance companies than individuals.

This is a very comprehensive bill covering a specific transaction. From disclosure of repair rates to warranty protection, it will help ensure fairness to the consumer at every stage of the transaction.

In closing, I believe it is legislation that will be welcomed by the many, many thousands of motorists in this province.

Mr. Philip: This bill is long overdue. It is a rewritten version of a bill that had been introduced by the minister's predecessor. It is interesting that Quebec introduced a bill quite similar to this, and it has been operative since November 1980. I guess one has to ask the government why it has taken so long to bring forward this kind of legislation.

If one looks at what is happening in the bill, I find it interesting, because basically what is put into the statute is what I think some reputable

repair dealers do for the most part anyway, with the exception of posting or putting on the bill the names and phone numbers where additional mediation can be obtained. I know that my own service station does not do any repair work without first checking with the customer. It just makes common sense to operate this way. Indeed, it is good business.

However, as the minister has pointed out, a number of us, as MPPs, have received numerous complaints about some discrepancies, if you want, in the way repair work has been done. Indeed, there is my own experience from many years ago, where I had to demand and threaten legal action in order to get the waiver of a bill from a service station operator who did work without the authorization of either myself or my wife.

We will be moving two amendments to the bill, one of which I understand the minister has accepted and will be supporting, and the other of which he is less accepting of.

I have read through the amendments the minister is proposing, which are numerous indeed. For the most part, I think they bring the bill even closer to the Quebec legislation, and I think that is even more acceptable to us. There are a few of the amendments I have some questions about, and perhaps the minister may satisfy me when I ask those questions in committee of the whole House.

In conclusion, we will be supporting the bill. I thank the minister for bringing it forward, albeit a lot later than one would have expected.

Mr. J. M. Johnson: We can support the intent of the legislation. Indeed, the amendments have even cleared up some of the problems we have with it.

I would like to raise a couple of matters or concerns that I have. Maybe it is more a personal concern than a party position. That is possibly because I have some knowledge of the repair business, as my father was in that business for 40-some years.

I am bit concerned that when we dwell so heavily on the fact that estimates have to be so exacting, are we not maybe creating another problem: that an individual repairman or mechanic, rather than put himself in a position where he could be losing money, will estimate high and overall will end up creating more of a problem for the customers than otherwise?

Most repair shops are run by good, honest people. We have unscrupulous repair people just the same as we have unscrupulous politicians. Each has to be controlled, but sometimes it is

extremely difficult to know how to legislate against it.

1710

In rural Ontario we do not have the same problem, per se, as in the cities, because people get to know the people they should deal with and the ones they should not.

I have a little concern about making it so difficult for a repair shop to be able to do business. We could drive up the prices.

Another concern I have that I think the minister has addressed in his amendments is the time lag between a customer's being notified that the estimate will be so much and the time that he gets back to say to go ahead with the job. If you have ripped the car apart and it is sitting all over the shop, and you then have to put it back together and move it out to allow another vehicle in because the individual may take a week or a month or six months to make up his mind, you have created a pretty hard situation in which be able to achieve a fair and reasonable cost factor.

I think possibly the minister has addressed this in his amendments, and we can certainly deal with it when we get into committee of the whole House. I suggest hopefully that he not remove the 10 per cent leeway in subsection 4(2), as proposed by the opposition party, because I do feel that we have to have leeway to allow some variance in case there is a major problem. Certainly 10 per cent would not be an exorbitant price if a repair shop ran into some difficult problems.

I think it would be acceptable, as far as our party is concerned, if we moved into committee of the whole and dealt with that clause-by-clause. We could have a more meaningful dialogue at that time, dealing with the specific clauses.

The Acting Speaker (Miss Roberts): Would any honourable member wish to comment upon the remarks made by the member for Wellington? If not, would any other honourable member wish to participate in the debate? Seeing none, will the minister close the debate?

Hon. Mr. Wrye: I will be very brief. I join my friend the member for Wellington (Mr. J. M. Johnson) in saying that I think we may have a more useful discussion on some of the specific issues as we move into committee. At that time, I will get into some greater detail on subsection 4(2), when my friend the member for Etobicoke-Rexdale (Mr. Philip) places his amendment.

I want to indicate only that I am grateful for the support of the two critics who are here. I share the view of the member for Etobicoke-Rexdale, who has been thrown into the breach at the last

minute, that it would have been very nice and useful had the bill gone forward before now. Such very forward-looking legislation should always move as quickly as possible, but I am grateful to have the opportunity now to get the bill passed and in place so that those who use motor vehicle repairs may benefit.

I see my friend the member for Scarborough West (Mr. R. F. Johnston) wants it passed today, probably because he has a car to take in before the end of the week.

Mr. R. F. Johnston: If you saw my '73 Buick, you'd understand why.

Hon. Mr. Wrye: So that my friend the member for Scarborough West and others can have the greater measure of consumer protection that is afforded, I will conclude these remarks and move second reading. Perhaps we can complete committee of the whole today.

Motion agreed to.

Bill ordered for committee of the whole House.

House in committee of the whole.

MOTOR VEHICLE REPAIR ACT

Consideration of Bill 22, An Act to regulate Motor Vehicle Repairs.

Hon. Mr. Wrye: Mr. Chairman, I wonder if I might have staff here at the desk.

Mr. Chairman: Yes, of course, you may.

Section 1:

Mr. Chairman: Hon. Mr. Wrye moves that the definition of "customer" in section 1 of the bill be amended by striking out "a person" in the first line and inserting in lieu thereof "an individual."

Hon. Mr. Wrye: This amendment is to indicate that it is really individuals we are trying to assist in this situation and not businesses, which are really in a lot better position to handle such problems with motor vehicle repairs than are ordinary consumers.

As well, except in a very limited number of cases, these kinds of business-to-business consumer protection vehicles have not been put in place over the years. The legislative review project, which is to report before we rise for the summer, I believe, will be addressing this issue, and I think it would be more appropriate to move when we move general consumer protection legislation, the general changes to our consumer protection laws in this area, if that is deemed to be appropriate.

This is an amendment which I think really gets at the problem that we sought to go after in bringing in this legislation: that is, the problem of the ordinary consumer.

Mr. Philip: My concern with this amendment is that, while one can recognize that it basically removes the fleet owners and people like that, there are a number of businesses that may well be incorporated or registered and they may be businesses of one limousine. That consumer may be every bit as much at the mercy of the unscrupulous service station or repair company that may be very much larger than the individual business entrepreneur, such as the limousine owner, the taxi owner or, indeed, the small plumbing business that has its one van and maybe two employees. I am wondering if the minister is not concerned that by his amendment he may in fact be hurting a lot of little guys who will not have any recourse.

Hon. Mr. Wrye: The issue here is that in terms of consumer protection, as I indicated, within our consumer protection laws we have traditionally, for the most part—there are some exceptions within the Real Estate and Business Brokers Act, I am advised—but for the most part we have not provided consumer protection in these kinds of business transactions.

I acknowledge the point my friend makes in terms of small businesses. He is not incorrect. The amendment is, I suppose, to provide and continue to provide, I say to my friend the member for Etobicoke, some consistency with the legislation now in place. It may well be that as we move forward with more general generic consumer protection legislation, we will wish to address this problem at a future time.

1720

Mr. Chairman: All those in favour of Hon. Mr. Wrye's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

Section 1, as amended, agreed to.

Section 2 agreed to.

Section 3:

Mr. Chairman: Hon. Mr. Wrye moves that section 3 of the bill be amended by adding thereto the following subsection:

"(4) Despite subsection (3), a repairer may charge an estimate fee if the repairer is unable to obtain, without unreasonable delay, authorization to proceed with the work or repairs and the vehicle is reassembled before it is worked on or

repaired so that it can be moved to free repair space."

Hon. Mr. Wrye: My friend the member for Wellington (Mr. J. M. Johnson) alluded to this in his remarks during second reading debate. One of the concerns—and there were a number after the bill was put out—that a number of small businessmen in the repair industry brought to us, which we felt was quite a reasonable concern, is that repairs cannot really be expected to tie up repair facilities indefinitely, sometimes to tie up equipment and certainly staff while they wait for a consumer decision. So if reassembly is required prior to doing the work because of delay in the consumer decision, an estimate fee is justified and the amendment recognizes that.

Mr. J. M. Johnson: Just on subsection 3(2) in relation to subsection 3(4). Subsection 3(2) reads, "A fee for an estimate shall be deemed to include the cost of diagnostic time and the cost of reassembling the vehicle and the cost of parts that will be damaged and must be replaced when reassembling if the work or repairs are not authorized by the customer." Is "the cost of parts that will be damaged and must be replaced" in relation to taking, say, the motor apart and the mechanic damaging a part, or is it in relation to the parts that were damaged before the mechanic examined that vehicle?

Mr. Chairman: The member for Etobicoke-Rexdale.

Mr. Philip: I think the minister may have wanted to answer that question first.

Hon. Mr. Wrye: I am advised that it is the cost of the parts that will be damaged in doing the diagnostic work. On some occasions, I am advised, to get a diagnostic decision, some parts will be damaged. Clearly it must be understood by both the repairer and, indeed, the consumer that for the repairer to be able to provide an estimate, to take parts of the car apart, some parts will be damaged, and it is thus fair for the repairer to recover those costs.

Mr. J. M. Johnson: When we get down to the section dealing with the 10 per cent of estimates, this is one reason I felt we needed that allowance, because sometimes to find out if repairs are necessary, and to know the cost of the repairs, one has to literally break a seal or something to get into the car; then one finds that there is a problem. If they are allowed that 10 per cent leeway, then it would help to cover it. I accept the minister's explanation and I certainly support subsection 3(4).

Mr. Philip: I guess every piece of legislation has to be a set of balances and counterbalances. I think this is a reasonable amendment that handles some of the concerns of the operators of the service stations. It would be unreasonable to put in a specific amount of time or something like that, because the circumstances surrounding it have to be judged. We will accept the amendment.

Motion agreed to.

Section 3, as amended, agreed to.

Section 4:

Mr. Chairman: Mr. Philip moves that subsection 4(2) of the bill be amended by striking out "by more than 10 per cent" at the end thereof.

Mr. Philip: The purpose of this is my concern that if we have a specific percentage in there, it will, to some people, simply be an add-on fee; they will do an estimate and then add on that extra 10 per cent automatically as being, if you want, their cushion. For that reason, I think it is reasonable. At a time when we do have telephone communications that are, at least until this week, operating fairly well most of the time, this is unnecessary. Therefore, we have moved to delete the 10 per cent margin for error, leverage or whatever else somebody might think it is.

Hon. Mr. Wrye: The member indicated that the government was prepared to support one of the two amendments to be proposed by the official opposition. This is not the one. Members can wait for it; it is in section 9. It is a good amendment.

The concern we have is exactly the same as the honourable member's, and I suppose we simply reach a different conclusion. It is our view that if we were to allow no leeway—I refer the member back to section 2, which talks about written estimates—then we would simply be into a situation where a repairer would, for example, have an estimate of around \$500 and would say: "I get absolutely stuck at \$500, so I had better bump it up by half a hundred or by a hundred to make sure that my costs are protected."

If we do not give the repairer some small leeway and he gets a small surprise in fixing the brakes or in replacing the shocks, or takes a little longer for whatever reason, then he has a problem, then he is in a situation where he is going to lose money. We think that if we do not give that small amount of leeway, a repairer will simply choose to provide a written estimate that will be higher on the way in, and the cost to consumers will thus rise.

We looked at a number of other figures and, quite frankly, some repairers believe that 10 per cent is inadequate. After carefully reviewing the 10 per cent, the House will note that we have chosen to leave it at that figure, which we think a reasonable compromise that protects repairers in the situation I have described, but also protects consumers from a situation which happens all too often now, where the estimate of a few hundred dollars is given and the surprise comes in and the bill is \$300 or \$400 higher. We think that is unreasonable. Thus, we have limited it to 10 per cent.

Mr. Chairman: All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Section 4 agreed to.

Section 5 agreed to.

Section 6:

Mr. Chairman: Mr. Wrye moves that subclause 6(c)(iii) of the bill be struck out and the following substituted therefor:

"(iii) whether any commissions are payable."

Mr. Wrye further moves that section 6 of the bill be amended by adding thereto the following subsection:

"(2) Clause 6(1)(e) does not apply to a repairer who puts on all repair orders and invoices to go to consumers the telephone number of the regional office of the Ministry of Consumer and Commercial Relations to which complaints may be directed."

Hon. Mr. Wrye: The first of these two changes to section 6 is really a housekeeping change. The present subclause 6(c)(iii) reads "commissions payable." The intent of this is to simply say whether commissions are payable, not exactly what they are. The wording would probably have asked to have that spelled out.

1730

The more substantive change is the change to subsection 6(2) of the section. That has been requested by the industry and indeed by some consumer groups, I understand. It seems not unreasonable.

As the bill now reads under this section, clause 6(e) asks repairers to post signs giving the telephone number of the regional office of the Ministry of Consumer and Commercial Relations to which complaints may be directed. In a sense, subsection 6(2) provides an exception or an exemption, and that is provided only in those

cases where the information is given on all repair orders and invoices. It will be up to the repairer to decide whether to post the notice in a conspicuous place, as is called for by the bill, or whether to provide, I presume, for a stamp, and stamp all such orders and invoices with this information. Either way, it seems to me the consumer will win.

Mr. Philip: I think the amendments are extremely reasonable and in fact make an awful lot of sense. Certainly, we will support them.

Mr. J. M. Johnson: The minister is going to have a telephone number of the regional office where complaints may be directed. What is he going to do with them then? Would it not make sense to have some way that the public could be advised of the bad apples in the repair business, something in the nature of the Better Business Bureau, a listing type of registry so that they would know in advance of the people who create problems? The minister is going to have complaints against people. Surely, he must intend to do something about the complaints.

Hon. Mr. Wrye: I presume it is an effort to add a greater degree of instant consumer protection. The number is right there and they know who they can call to get their problem dealt with. There is no doubt, I suppose—I had not really thought of this—that if there is a volume of complaints coming into the regional office in your area from service station X, perhaps a pattern will emerge eventually and that may be useful to us.

It seems to me that may be incidental to the fact that really what on its face we are trying to do is to provide information for consumers either posted on a board or on the invoice so that the consumers know who to get in touch with in case they are unhappy with the outcome of their repair work.

Mr. J. M. Johnson: The minister does have penalties he can levy in the latter part of the bill, but I wonder if at some point in time, if patterns do arise and if station X in a certain area is creating a lot of problems, if people have the opportunity to phone the ministry, they in turn could be advised that it has had complaints about this individual. At that point, maybe the customer would have an opportunity to make the determination if he indeed should deal with that particular individual.

Hon. Mr. Wrye: I am not sure exactly what my friend is saying. It certainly would be our hope that if a concern arises in the completion of this transaction, as in any other, the customer and

the repairer will attempt to get together and rectify the problem in the first instance.

We do not want to be the court of first resort, in a sense, but this will provide for those who have concerns. They are quite numerous now and we expect the numbers will continue to rise. In effect, we have in section 6 an information vehicle that is provided for all consumers as to whom to get in touch with for redress.

Motion agreed to.

Section 6, as amended, agreed to.

Section 7:

Mr. Chairman: Mr. Wrye moves that subsection 7(1) of the bill be struck out and the following substituted therefor:

“(1) Every repairer shall offer to return to the customer all parts removed from the vehicle in the course of work or repairs unless advised when the work or repairs are authorized that the customer does not require their return.”

Hon. Mr. Wrye: This really flips around what we had in the bill originally. Subsection 7(1) of the original bill contemplated a decision as to whether the parts would be returned at the completion of the work. This changes it around and the decision point is when the customer authorizes the work.

As I view it, what would happen is the customer may, on his or her own, simply say, “I do not require the return of the parts.” If that does not happen, then as the amendment now reads, the repairer will be in a position to say: “I am prepared to return your shock absorbers. Do you want them back?” The customer at that point will make a decision. We think it is better to do it at the beginning rather than at the end. Then no misunderstandings will arise.

Mr. Philip: The way the original subsection 7(1) was written made no sense. It makes an awful lot more sense to put it at the beginning, as the minister has said. Many service station operators do this as a matter of course already, but it is reasonable to put it in the statute as a requirement so we will support it.

Mr. Chairman: Is it the pleasure of the committee that the motion carry?

All those in favour will please say “aye.”

All those opposed will please say “nay.”

In my opinion the ayes have it.

Motion agreed to.

Section 7, as amended, agreed to.

Section 8:

Mr. Chairman: Mr. Wrye moves that subsection 8(2) of the bill be struck out and the following substituted therefor:

"(2) Shop supplies that are charged to a customer and not included in normal operating costs shall be itemized on the invoice."

Mr. Wrye further moves that subsection 8(3) of the bill be amended by inserting after "subsection (1)" in the first line "excluding clauses 1(g), (h) and (i)."

Hon. Mr. Wrye: The essential part of this change is to eliminate the arbitrary charging for shop supplies as a percentage of parts and labour costs. The section does not now allow them to be charged. We now will allow shop supplies, but they must be properly invoiced and itemized.

Mr. Chairman: Is it the pleasure of the committee that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

Section 8, as amended, agreed to.

Section 9:

Mr. Chairman: Mr. Wrye moves that section 9 of the bill be amended by adding thereto the following subsection:

"(1a) The warranty on parts used in a motorcycle or motor-assisted bicycle is 30 days or 1,500 kilometres, whichever comes first, and not as set out in subsection (1)."

Mr. Wrye further moves that subsection 9(2) of the bill be amended by striking out "subsection (1)" in the third and fourth lines and inserting in lieu thereof "this section."

Mr. Wrye further moves that subsection 9(3) of the bill be struck out and the following substituted therefor:

"(3) Where work or repairs are made under subsection (2), the person entitled to a warranty under this section is entitled, in addition to any other rights or recourse available at law, to recover from the repairer the original cost of the work or repairs and reasonable towing charges."

1740

Hon. Mr. Wrye: The change essentially provides, in the first instance, a different kind of warranty for motorcycles. This is in keeping, I think, with what the industry norm is in terms of the amount of time in which such parts should reasonably last in all cases without any breakdown. We have recognized a shorter period of time.

Subsection 9(2) is simply housekeeping.

The third section—repairers responsible for the original work, not the cost of the subsequent

work—simply limits the liability, as it were, of repairers.

Mr. Philip: I wonder if the minister can assure members of the House that when we have our local friendly meeting with the local chapter of the Hell's Angels or any other group, they will not be terribly displeased and feel that somehow they are being discriminated against with this.

Mr. R. F. Johnston: The annual meeting of the Vagabonds.

Mr. Breagh: Bill Wrye is the name.

Mr. Philip: I assume there may be some advantages to having a voice vote when it comes to matters like this.

On a more serious note, I wonder if the minister has consulted with any of the consumer groups, motorcycle clubs, etc., before he decided to introduce what appears to be a certain amount of discrimination between the warranties on motorbikes and those on other forms of vehicles.

Hon. Mr. Wrye: I recognize the honourable member's concern. I do not have any chapters of that aforementioned motorcycle group in my riding. I think they are in the riding of the member for Windsor-Riverside (Mr. D. S. Cooke).

The answer to the honourable member's serious point is yes, we have consulted with other consumer groups and they are prepared to live with this. I suppose they would like the longer period. I am advised that the warranty on new bikes is also quite different from that which the member and I would get on new cars. This is a reflection of the differential between the two types of motorized machines.

Mr. Chairman: Ready for the vote? May I recall that my request to hear the members say "aye" or "nay" in a clear fashion seems to have fallen on deaf ears? I would appreciate if all of you who reply to a vote call say so clearly. Thank you.

Motion agreed to.

Hon. Mr. Wrye: Since we are doing so well on section 9, I have another amendment.

Mr. Chairman: Mr. Wrye moves that section 9 of the bill be amended by adding thereto the following subsections:

"(4) A customer who subjects any part to misuse or abuse is not entitled to the benefit of the warranty on that part.

"(5) No repairer shall refuse to reimburse a customer because of the operation of subsection (4) unless the repairer has reasonable and

probable grounds to believe that the part under warranty was subjected to misuse or abuse.

"(6) A customer who seeks to recover costs under this section shall return, upon the request and at the expense of the original repairer, the defective parts to the original repairer unless, in the circumstances, it is not reasonably possible for the customer to do so."

Hon. Mr. Wrye: Subsections 4 and 5 are consistent with similar consumer warranties and, indeed, the common law in terms of areas of misuse and abuse. Subsection 5 provides the customer with protection, i.e., the repairer must have reasonable and probable grounds for invoking the misuse/abuse rule and he cannot do so arbitrarily; he can try, but he would not be successful. The new subsection 6 avoids unnecessary or unreasonable cost to both the repairer and the customer, but it does give the repairer the option to examine the failed part by insisting upon its return on reasonable grounds as long as the repairer is willing to pay for it.

Mr. Philip: The amendments make a lot of sense. It will discourage the garage owner simply saying capriciously that the vehicle was misused as a defence against the charge about his repair.

If the transmission goes and I happen to be in New Brunswick, it does not seem to make very much sense to bring back the whole transmission just to prove that the thing actually blew 1,500 miles down the road, so we will support it.

Motion agreed to.

Mr. Chairman: Mr. Philip moves that section 9 be amended by adding thereto the following subsection:

"(7) An original repairer who is required to make a payment under this section is entitled to recover from the supplier of a defective part any amount paid to the customer under subsection (3)."

Mr. Philip: The amendment is self-evident. It simply allows the garage owner to recover what he has had to pay out as a result of a part that is defective from the manufacturer.

I understand that the minister will accept it, and therefore I will not have to speak at great length in order to try to convince him.

Hon. Mr. Wrye: My friend the member for Etobicoke-Rexdale (Mr. Philip) has done great work this afternoon and has been so supportive of the government amendments that I am pleased to announce we will support his amendment.

Motion agreed to.

Section 9, as amended, agreed to.

Sections 10 to 12, inclusive, agreed to.

Section 13:

Mr. Chairman: Mr. Wrye moves that clause 13(a) of the bill be amended by inserting after "application of" in the second line "this act or."

Mr. Wrye further moves that clause 13(d) of the bill be struck out and the following substituted therefor:

"(d) exempting any class of vehicle, repairer, customer, part or type of repair from the application of this act or any provision of this act and attaching conditions to any exemption."

Hon. Mr. Wrye: Of the two changes to section 13, the first really eliminates superfluous wording and refers to the whole rather than any part of the act; it can be the whole act. The other matter, clause (d), simply provides flexibility for the government in defining further the application of the act.

Mr. Philip: What the minister says is true.

Motion agreed to.

Section 13, as amended, agreed to.

Sections 14 and 15 agreed to.

Bill, as amended, ordered to be reported.

Hon. Mr. Conway: I think that, with agreement, we will move back into committee of the whole on Bill 159.

Mr. Chairman: Is that agreed?

Agreed to.

MUNICIPAL EXTRA-TERRITORIAL TAX ACT (continued)

Consideration of Bill 159, An Act to provide for Municipal Taxes in Territory without Municipal Organization.

Mr. Chairman: We had carried sections 1 and 2 and, if I remember correctly, the minister had an amendment to section 3. Am I not correct?

Hon. Mr. Eakins: I just want to point out that there was some confusion. The members of the official opposition stated they did not get the amendments. It has been confirmed that the amendments were delivered to their House leader, to their office. If they did not get them, I am sorry, I cannot help that; but it has been confirmed that they did receive them.

Mr. Breaugh: No.

Hon. Mr. Eakins: Someone did receive them.

1750

Mr. Breaugh: I do not mean to prolong things this afternoon, but I am the critic and I did not get

them. The local member did not get them. My House leader did not get them. For the minister to say that somebody got them is an insult to us as members.

If the minister wants to move amendments like these and he wants to explain them to the members on the opposition side, he does have some telephones; he could pick them up and call us. He could at least give us a reasonable explanation when we ask him to explain himself in here. I do not think we are being too obnoxious when we ask to see an amendment before we discuss it, particularly when the minister does not know what is happening in it.

Hon. Mr. Eakins: It is my understanding that the amendments were delivered to the honourable member's office. If not, I will certainly apologize at the appropriate time. But it is my understanding that they were.

The amendment here is simply to effect two paragraphs. The assessment factor for the designated business is the same as the assessment factor for the designated municipality. In order for the formula to work, the definition has to be changed for the designated business. They are simply factors that are needed to convert the local assessment in the unorganized territory to the local assessment in the municipalities, so that in the end we are making the assessment on each of the mines comparable to the assessment in each municipality.

Mr. Breagh: Of course, one of the things which is very awkward is when an amendment arrives this way, so I will have to put it on the record this afternoon.

Are both municipalities in agreement with the use of this formula?

Hon. Mr. Eakins: I understand they are.

Mr. Chairman: Do other members wish to comment and ask questions?

Mr. Pouliot: I have one final question for the minister. He has mentioned that both municipalities were consulted and that once the assessment has been determined the formula will take effect. Yet in his compendium he mentions that the legislation will permit the Minister of Municipal Affairs to authorize, if the need arises, other affected municipalities. I think we are talking about White River. The minister has mentioned that there are six families who work at Hemlo residing in White River.

Has White River been consulted? If so, is it in agreement with the formula?

Hon. Mr. Eakins: White River is not involved at this time. As I mentioned in the bill, it

is flexible enough that if White River is involved, then the formula will apply. White River is not involved at this time. It is simply the two townships of Marathon and Manitouwadge.

Mr. Pouliot: I just want to get this on the record. As much as I dislike the formula grant in lieu of taxes, because people are inevitably shortchanged, I think in this case it would certainly help to lessen the pain and to restore justice, which should have been part of the bill. But I am satisfied with the amendment and with the legislation.

Motion agreed to.

Section 3, as amended, agreed to.

Sections 4 to 16, inclusive, agreed to.

Bill, as amended, ordered to be reported.

On motion by Hon. Mr. Conway, the committee of the whole House reported two bills with certain amendments.

EXECUTION AMENDMENT ACT

Mr. Offer moved, on behalf of Hon. Mr. Scott, second reading of Bill 6, An Act to amend the Execution Act.

Mr. Offer: This bill will remove a problem which is of concern to those buying a home or property. It will bring the Execution Act into line with the Land Titles Act by making clear that writs of execution filed with the sheriff become effective only as of 9:30 the morning after they are received by the sheriff. This means that when a purchaser's lawyer is ensuring there is clear title to property, he need check only once on the date the transaction is to close and not up to the last minute before the closing.

Mr. Sterling: This change in the Execution Amendment Act makes eminent good sense. Just for the purposes of explaining what a writ of execution is, it is basically a writ that is taken out to enforce a judgement. If a court gives a judgement, then this is the way of binding a person's land to make certain that judgement is paid before a person sells off that piece of land. In essence, that is what it does. It changes the timing as to when that writ of execution, which binds the land, has to be registered and makes it easier to convey land and safer for purchasers of land to get a free and clear title.

Motion agreed to.

Bill ordered for third reading.

INTERNATIONAL SALE OF GOODS ACT

LOI SUR LA VENTE INTERNATIONALE DE MARCHANDISES

Mr. Offer moved, on behalf of Hon. Mr. Scott, second reading of Bill 90, An Act

respecting the United Nations Convention on Contracts for the International Sale of Goods.

M. Offer propose, au nom de l'hon. M. Scott, la deuxième lecture du projet de loi 90, Loi concernant la Convention des Nations Unies sur les contrats de vente internationale de marchandises.

Mr. Offer: The government of Canada has recommended the provinces implement the Vienna sales convention, and with this bill Ontario does so.

As the Attorney General told the House when the bill was introduced, this convention sets an international standard to govern the sale of goods by a supplier in one country to a purchaser in another.

A number of countries, including the United States, have already acceded to this convention. The government of Canada has indicated it will also accede if there is significant provincial support. This bill will become law in Ontario only after the Canadian government has acceded.

The standards set out in the convention have been endorsed by the Canadian Bar Association, the Canadian Manufacturers' Association and the Canadian Exporters' Association. These standards are already being used in some transactions, and we expect they will become the norm in international sales, although parties to an agreement will be able to agree upon some other form of law to govern the contract if they so choose.

Mr. Hampton: I do not think it comes as a surprise to anyone that this sort of legal development is long overdue. In fact, the acceptance of the international law in terms of the sale of goods will likely lead to international commerce and international contracts that in fact are drawn up and are understandable and are more certain, without the aid of a battery of lawyers and without having to worry about keeping a battery of lawyers in place to ensure that the law you thought the contract was drawn under is indeed the law the contract was drawn under.

Mr. Sterling: This might put me out of business.

Mr. Hampton: The honourable spokesman for the third party indicates that this might put him out of business. I want him to know that I

feel really bad about that. The fact of the matter is that it will simplify the procedures in many cases and make procedures much more certain. We, on this side of the House, are very much in favour of that sort of development, and as I said, this kind of legal development is long overdue.

Mr. Sterling: The Progressive Conservative Party of Ontario, of course, will support such a move to increase and improve relations with other countries and to make international trade freer in this time. We are indeed happy to see the government of Ontario finally do something in relation to encouraging international trade. Perhaps, in afterthought, it even will begin to rethink its position on other trade issues, like the free trade agreement.

Mr. Offer: Just to reiterate the purpose and the impact of this particular legislation, it will make the law governing international sales more modern, clearer and more in accordance with the practices and expectations of people in business. For that reason, I am pleased that we have the full support of the Legislature with respect to the passage of this particular legislation.

Motion agreed to.

La motion est adoptée.

Bill ordered for third reading.

Le projet de loi passera à l'étape de troisième lecture.

BUSINESS OF THE HOUSE

Hon. Mr. Conway: Given that we are now slightly past the normal adjournment hour, I would just like to inform members of the business of the House tomorrow. This, of course, is subject to the ongoing deliberation of the House leaders' panel, but having completed all of this good work this afternoon, we will proceed tomorrow, after routine proceedings, to committee of the whole House to complete the consideration of Bill 100, after which we will take up the adjourned debate on the report of the select committee on constitutional reform, after which we will deal with government notice of motion 6 standing in the name of the Premier (Mr. Peterson) regarding the Meech Lake accord and other business such as the House leaders agree upon.

The House adjourned at 6:03 p.m.

ANSWERS TO QUESTIONS IN ORDERS AND NOTICES

COMMUNITY ADVISORY BOARDS

109. Mr. Runciman: Will the Minister of Health indicate whether or not she supports having labour representation on psychiatric hospital community advisory boards and, if not, why not? If yes, will the minister ensure that labour representatives are appointed to all community advisory boards as soon as possible? [Tabled April 20, 1988]

Hon. Mrs. Caplan: Community advisory boards were established in order to make the provincial psychiatric hospitals more responsive to the communities they serve. Community advisory boards are composed of representatives from a wide range of community organizations. Board members represent the interests and needs of the people in the catchment area of the hospital.

There is no specific organization or association represented on the community advisory boards. The Ministry of Health agrees that the Ontario Public Service Employees Union should be allowed to make presentations to the community advisory boards on a regular basis but does not support a labour representative as such.

COMMUNITY SAFETY

113. Mr. Runciman: Will the Minister of Health advise the House if OPSEU will be represented on her internal study team reviewing the day-pass release program for psychiatric forensic patients and the St. Thomas incident that resulted in the assault on a 14-year-old girl; if not, why not? [Tabled April 20, 1988]

Hon. Mrs. Caplan: As I indicated in the Legislature on May 5, 1988, I have received a report on the internal investigation of procedures for the handling of patients on warrants of the Lieutenant Governor carried out recently by St. Thomas Psychiatric Hospital. My ministry officials assure me that comprehensive procedures regarding implementing the conditions of loosened warrants are in place and were followed by the hospital.

In addition to this, the psychiatric hospitals branch of my ministry will ensure that an independent assessment is carried out as soon as possible of the risk management systems at our psychiatric hospitals. My ministry is in the process of hiring a consultant firm to conduct the independent review. This review will ensure the best possible monitoring systems are in place. It

should be noted that a number of staff at the provincial psychiatric hospitals will be consulted during this consultative process.

MINISTRY SPENDING

278. Mr. Cureatz: Would the Solicitor General please provide a detailed explanation of why the ministry overspent its 1986-87 capital allocation (including any funds from non-budgetary accounts) by 242.8 per cent, including the specific projects or programs on which the funds were spent and the reasons why the funds were spent? [Tabled June 1, 1988]

279. Mr. Pollock: Would the Minister of Natural Resources please provide a detailed explanation of why the ministry overspent its 1986-87 capital allocation (including any funds from nonbudgetary accounts) by 128.5 per cent, including the specific projects or programs on which the funds were spent and the reasons why the funds were spent? [Tabled June 1, 1988]

280. Mr. McCague: Would the Minister of Municipal Affairs please provide a detailed explanation of why the ministry overspent its 1986-87 capital allocation (including any funds from nonbudgetary accounts) by 104.7 per cent, including the specific projects or programs on which the funds were spent and the reasons why the funds were spent? [Tabled June 1, 1988]

281. Mrs. Cunningham: Would the Minister of Community and Social Services please provide a detailed explanation of why the ministry overspent its 1986-87 capital allocation (including any funds from nonbudgetary accounts) by 84.7 per cent, including the specific projects or programs on which the funds were spent and the reasons why the funds were spent? [Tabled June 1, 1988]

282. Mr. Jackson: Would the Minister of Colleges and Universities please provide a detailed explanation of why the ministry overspent its 1986-87 capital allocation (including any funds from nonbudgetary accounts) by 64.4 per cent, including the specific projects or programs on which the funds were spent and the reasons why the funds were spent? [Tabled June 1, 1988]

283. Mr. Eves: Would the Minister of Health please provide a detailed explanation of why the ministry overspent its 1986-87 capital allocation (including any funds from nonbudgetary accounts) by 63.6 per cent, including the specific

projects or programs on which the funds were spent and the reasons why the funds were spent? [Tabled June 1, 1988]

284. Mr. McLean: Would the Minister of Tourism and Recreation please provide a detailed explanation of why the ministry overspent its 1986-87 capital allocation (including any funds from nonbudgetary accounts) by 56.2 per cent, including the specific projects or programs on which the funds were spent and the reasons why the funds were spent? [Tabled June 1, 1988]

285. Mr. Pope: Would the Minister of Northern Development please provide a detailed explanation of why the ministry overspent its 1986-87 capital allocation (including any funds from nonbudgetary accounts) by 37.7 per cent, including the specific projects or programs on which the funds were spent and the reasons why the funds were spent? [Tabled June 1, 1988]

286. Mr. Runciman: Would the Minister of Energy please provide a detailed explanation of why the ministry overspent its 1986-87 capital allocation (including any funds from non-budgetary accounts) by 33.3 per cent, including the specific projects or programs on which the funds were spent and the reasons why the funds were spent? [Tabled June 1, 1988]

287. Mr. Jackson: Would the Minister of Education please provide a detailed explanation of why the ministry overspent its 1986-87 capital allocation (including any funds from non-budgetary accounts) by 24 per cent, including the specific projects or programs on which the funds were spent and the reasons why the funds were spent? [Tabled June 1, 1988]

288. Mr. J. M. Johnson: Would the Minister of Government Services please provide a detailed explanation of why the ministry underspent its 1986-87 capital allocation (including any funds from nonbudgetary accounts) by eight per cent, including the specific projects or programs on which the funds were not spent and the reasons why the funds were not spent? [Tabled June 1, 1988]

289. Mr. Sterling: Would the Minister of Industry, Trade and Technology please provide a detailed explanation of why the ministry underspent its 1986-87 capital allocation (including any funds from nonbudgetary accounts) by 19.1 per cent, including the specific projects or programs on which the funds were not spent and the reasons why the funds were not spent? [Tabled June 1, 1988]

290. Mrs. Marland: Would the Minister of the Environment please provide a detailed

explanation of why the ministry underspent its 1986-87 capital allocation (including any funds from nonbudgetary accounts) by 22.5 per cent, including the specific projects or programs on which the funds were not spent and the reasons why the funds were not spent? [Tabled June 1, 1988]

291. Mr. Villeneuve: Would the Minister of Agriculture and Food please provide a detailed explanation of why the ministry underspent its 1986-87 capital allocation (including any funds from nonbudgetary accounts) by 34 per cent, including the specific projects or programs on which the funds were not spent and the reasons why the funds were not spent? [Tabled June 1, 1988]

292. Mr. Cousens: Would the Minister of Housing please provide a detailed explanation of why the ministry underspent its 1986-87 capital allocation (including any funds from non-budgetary accounts) by 44 per cent, including the specific projects or programs on which the funds were not spent and the reasons why the funds were not spent? [Tabled June 1, 1988]

293. Mr. Harris: Would the Treasurer please provide a detailed explanation of why the ministry underspent its 1986-87 capital allocation on economic development projects (including any funds from nonbudgetary accounts) by 80 per cent, including the specific projects or programs on which the funds were not spent and the reasons why the funds were not spent? [Tabled June 1, 1988]

294. Mr. Eves: Would the Attorney General please provide a detailed explanation of why the ministry spent \$2 million in capital funds in 1986-87, although it had received no capital allocation in the budget for that year, including the specific programs or projects on which the funds were spent and the reasons why the funds had to be spent without a capital allocation for that purpose in the budget? [Tabled June 1, 1988]

295. Mr. Runciman: Would the Minister of Consumer and Commercial Relations please provide a detailed explanation of why the ministry spent \$1 million in capital funds in 1986-87, although it had received no capital allocation in the budget for that year, including the specific programs or projects on which the funds were spent and the reasons why the funds had to be spent without a capital allocation for that purpose in the budget? [Tabled June 1, 1988]

296. Mr. Harris: Would the Minister of Revenue please provide a detailed explanation of why the ministry received a capital allocation of

\$30 million in 1986-87 and why it has never spent the funds, including the specific projects or programs on which the funds were to have been spent, the reasons why it was considered necessary and the reasons why the funds were not spent? [Tabled June 1, 1988]

297. Mrs. Cunningham: Would the Minister of Skills Development please provide a detailed explanation of why the ministry received a capital allocation of \$3 million in 1986-87 and spent \$4 million, including the projects or programs on which the funds were to be spent, the reasons why they were considered to be necessary, the projects or programs on which the additional \$1 million was spent and the reasons why the additional funds were spent? [Tabled June 1, 1988]

298. Mr. Cureatz: Would the Solicitor General please provide a detailed explanation of why the ministry overspent its 1987-88 capital allocation (including any funds from non-budgetary accounts) by 55.5 per cent, including the specific projects or programs on which the funds were spent and the reasons why the funds were spent? [Tabled June 1, 1988]

299. Mr. Pollock: Would the Minister of Natural Resources please provide a detailed explanation of why the ministry underspent its 1987-88 capital allocation (including any funds from nonbudgetary accounts) by 13.6 per cent, including the specific projects or programs on which the funds were not spent and the reasons why the funds were not spent? [Tabled June 1, 1988]

300. Mr. McCague: Would the Minister of Municipal Affairs please provide a detailed explanation of why the ministry underspent its 1987-88 capital allocation (including any funds from nonbudgetary accounts) by 16.6 per cent, including the specific projects or programs on which the funds were not spent and the reasons why the funds were not spent? [Tabled June 1, 1988]

301. Mrs. Cunningham: Would the Minister of Community and Social Services please provide a detailed explanation of why the ministry underspent its 1987-88 capital allocation (including any funds from nonbudgetary accounts) by 16.4 per cent, including the specific projects or programs on which the funds were not spent and the reasons why the funds were not spent? [Tabled June 1, 1988]

302. Mr. Jackson: Would the Minister of Colleges and Universities please provide a detailed explanation of why the ministry under-

spent its 1987-88 capital allocation (including any funds from nonbudgetary accounts) by nine per cent, including the specific projects or programs on which the funds were not spent and the reasons why the funds were not spent? [Tabled June 1, 1988]

303. Mr. Eves: Would the Minister of Health please provide a detailed explanation of why the ministry underspent its 1987-88 capital allocation (including any funds from nonbudgetary accounts) by 9.9 per cent, including the specific projects or programs on which the funds were not spent and the reasons why the funds were not spent? [Tabled June 1, 1988]

304. Mr. McLean: Would the Minister of Tourism and Recreation please provide a detailed explanation of why the ministry underspent its 1987-88 capital allocation (including any funds from nonbudgetary accounts) by 12 per cent, including the specific projects or programs on which the funds were not spent and the reasons why the funds were not spent? [Tabled June 1, 1988]

305. Mr. Pope: Would the Minister of Northern Development please provide a detailed explanation of why the ministry underspent its 1987-88 capital allocation (including any funds from nonbudgetary accounts) by 21.3 per cent, including the specific projects or programs on which the funds were not spent and the reasons why the funds were not spent? [Tabled June 1, 1988]

306. Mr. Runciman: Would the Minister of Energy please provide a detailed explanation of why the ministry underspent its 1987-88 capital allocation (including any funds from nonbudgetary accounts) by 13.3 per cent, including the specific projects or programs on which the funds were not spent and the reasons why the funds were not spent? [Tabled June 1, 1988]

307. Mr. J. M. Johnson: Would the Minister of Government Services please provide a detailed explanation of why the ministry overspent its 1987-88 capital allocation (including any funds from nonbudgetary accounts) by 30.8 per cent, including the specific projects or programs on which the funds were spent and the reasons why the funds were spent? [Tabled June 1, 1988]

308. Mrs. Marland: Would the Minister of the Environment please provide a detailed explanation of why the ministry underspent its 1987-88 capital allocation (including any funds from nonbudgetary accounts) by 12.9 per cent, including the specific projects or programs on which the funds were not spent and the reasons

why the funds were not spent? [Tabled June 1, 1988]

309. Mr. Villeneuve: Would the Minister of Agriculture and Food please provide a detailed explanation of why the ministry overspent its 1987-88 capital allocation (including any funds from nonbudgetary accounts) by 15.7 per cent, including the specific projects or programs on which the funds were spent and the reasons why the funds were spent? [Tabled June 1, 1988]

310. Mr. Cousens: Would the Minister of Housing please provide a detailed explanation of why the ministry underspent its 1987-88 capital allocation (including any funds from non-budgetary accounts) by 27.8 per cent, including the specific projects or programs on which the funds were not spent and the reasons why the funds were not spent? [Tabled June 1, 1988]

311. Mr. Harris: Would the Treasurer please provide a detailed explanation of why the ministry underspent its 1987-88 capital allocation on economic development projects (including any funds from nonbudgetary accounts) by 57.1 per cent, including the specific projects or programs on which the funds were not spent and the reasons why the funds were not spent? [Tabled June 1, 1988]

312. Mrs. Cunningham: Would the Minister of Skills Development please provide a detailed explanation of why the ministry spent \$1 million in capital funds in 1987-88, although it had received no capital allocation in the budget for that year, including the specific programs or projects on which the funds were spent and the reasons why the funds had to be spent without a capital allocation for that purpose in the budget? [Tabled June 1, 1988]

313. Mr. Harris: Would the Minister of Labour please provide a detailed explanation of why the ministry spent \$2 million in capital funds in 1987-88, although it had received no capital allocation in the budget for that year, including the specific programs or projects on which the funds were spent and the reasons why the funds had to be spent without a capital allocation for that purpose in the budget? [Tabled June 1, 1988]

314. Mr. Runciman: Would the Minister of Consumer and Commercial Relations please provide a detailed explanation of why the ministry spent \$10 million in capital funds in 1987-88, although it had received no capital allocation in the budget for that year, including the specific programs or projects on which the funds were spent and the reasons why the funds

had to be spent without a capital allocation for that purpose in the budget? [Tabled June 1, 1988]

315. Mrs. Marland: Would the minister responsible for disabled persons please provide a detailed explanation of why the ministry received a capital allocation of \$2 million in 1987-88 and spent \$3 million, including the projects or programs on which the funds were to be spent, the reasons why they were considered to be necessary, the projects or programs on which the additional \$1 million was spent and the reasons why the additional funds were spent? [Tabled June 1, 1988]

316. Mr. Cousens: Would the minister responsible for senior citizens' affairs please provide a detailed explanation of why the ministry received a capital allocation of \$3 million in 1987-88 and spent \$2 million, including the projects or programs on which the funds were to be spent, the reasons why they were considered to be necessary, the projects or programs on which the \$1 million was not spent and the reasons why the funds were not spent? [Tabled June 1, 1988]

Hon. Mr. Elston: Questions 278 to 316 all pertain to expenditures which took place in the fiscal years 1986-87 and 1987-88. As I indicated in my earlier answer to questions 142 to 265, to attempt to provide written answers to these questions would not only be extremely costly and time-consuming but, above all, would be undermining the established procedures for the conduct of business in this House.

The information now being asked of each ministry should therefore be requested at the time the public accounts committee examines the accounts for the individual ministry concerned.

CANADA CHRISTIAN COLLEGE

317. Mr. Jackson: Would the Minister of Colleges and Universities provide the terms of reference for the review which external adviser Bert Hansen is conducting of the application for a charter from Canada Christian College? [Tabled June 2, 1988]

Hon. Mrs. McLeod: In response to the abovenoted question, attached are the terms of reference for the review which external adviser Bert Hansen has been asked to carry out.

Terms of reference, external adviser on Canada Christian College:

The purpose of the project is to examine the application for a charter from Canada Christian College, pursuant to the Degree Granting Act, 1983. The application is to be assessed in terms of whether the college has sufficient resources to

offer a sound academic program; has the support of the community it wishes to serve; wishes to obtain religious or theological degree powers only; evidences the ability to manage an institution of higher learning.

The ministry assesses the adequacy of a private bible college's resources by a review of financial statements, with specific reference to annual revenue, expenditures and assets; an inspection of its campus, with specific reference to the number of classrooms, the number of volumes in the library, the number of full-time salaried faculty including librarians, faculty offices and the availability of student services such as a cafeteria and a residence.

In assessing whether Canada Christian College has sufficient resources, the adviser will examine, among other things, the 1986 audited financial statements of CCC and the existing private bible colleges and will visit the sites of these institutions.

In reporting on the financial and other support being contributed by the community that CCC wishes to serve, as well as on the participation of that community in the governance of the institution, the adviser will take into account the nature and extent of community support and participation among the other private bible colleges in Ontario.

The consultant will submit a final report to the minister on or before May 31, 1988.

321. Mr. Jackson: Would the Minister of Colleges and Universities provide a copy of the report of external adviser Bert Hansen on the subject of the application from Canada Christian College for a theological degree charter as soon as it becomes available? [Tabled June 2, 1988]

Hon. Mrs. McLeod: The report was received by the ministry on June 2, 1988. A commitment has been made to Canada Christian College that it may review and comment on the report before any action is taken with respect to it. Canada Christian College has requested that the report not be made public at this time.

INTERIM ANSWERS

128. Mr. Cousens: Hon. Mrs. Caplan—My ministry is presently reviewing this question, and we anticipate a response will be available on or about June 30, 1988.

322. Mr. Jackson: Hon. Mrs. McLeod—The ministry is writing to each of the relevant institutions to determine whether they have concerns about the release of the information requested. The ministry will provide that infor-

mation to which the colleges have agreed to be made public on or about November 15, 1988.

328. Mr. Allen: Hon. Mr. Sweeney—A full response cannot be prepared within the time period outlined in standing order 88(d). A full response will be provided on or about July 15, 1988.

329. Mr. Allen: Hon. Mr. Sweeney—A full response cannot be prepared within the time period outlined in standing order 88(d). A full response will be provided on or about July 15, 1988.

RESPONSES TO PETITIONS

NATUROPATHY

Sessional paper P-1, re naturopathy.

Hon. Mrs. Caplan: Under the new legislation which is being developed to govern the health professions, naturopaths will be allowed to provide care to the people of Ontario as unregulated practitioners. As is now the case, naturopaths will not be able to use certain modalities of treatment such as surgery or prescribing drugs licensed to other practitioners.

In the future, naturopaths will have opportunities to have their regulatory position re-evaluated to determine if they meet the criteria. They continue to make submissions to the health professions legislation review. The review is currently evaluating these new submissions.

CHRONIC CARE

Sessional paper P-18, re care facility in Rainy River.

Hon. Mrs. Caplan: In April 1985, the Rainy River Hospital was granted approval to plan for up to 20 extended care beds in the community.

The addition of extended care beds to the existing facility was not deemed as a viable alternative; therefore, a replacement hospital was the recommended alternative. The hospital is currently at the functional program stage of the planning process.

The approved bed mix for the replacement hospital is 10 acute, 5 chronic and 15 extended (30 beds).

The Ministry of Northern Development is prepared to fund the capital costs associated with the construction of extended care beds under the Eldcap program.

The Ministry of Health is currently reviewing capital requirements for the provincial hospitals. Until this review has been completed, we are unable to comment on funding allocations for

projects such as the proposed replacement hospital in Rainy River.

ONTARIO HYDRO ADMINISTRATIVE
CENTRE

Sessional paper P-20, re Ontario Hydro in Warren.

Hon. Mr. Wong: Ontario Hydro is at the

present time conducting a study of its operations and customer requirements in the area served by its Warren office. When this report is completed, there will be a full review, and discussions will be held with local municipalities. Every attempt will be made to ensure that the economic and social impacts will be taken into account before any changes are made in the existing operations.

ALPHABETICAL LIST OF MEMBERS*

(130 seats)

First Session, 34th Parliament

Lieutenant Governor: Hon. Lincoln M. Alexander, PC, QC

-
- | | |
|---|--|
| Adams, Peter (Peterborough L) | Fontaine, Hon. René , Minister of Northern Development (Cochrane North L) |
| Allen, Richard (Hamilton West NDP) | Fulton, Hon. Ed , Minister of Transportation (Scarborough East L) |
| Ballinger, William G. (Durham-York L) | Furlong, Allan W. (Durham Centre L) |
| Beer, Charles (York North L) | Grandmaitre, Hon. Bernard C. , Minister of Revenue (Ottawa East L) |
| Black, Kenneth H. (Muskoka-Georgian Bay L) | Grier, Ruth A. (Etobicoke-Lakeshore NDP) |
| Bossy, Maurice L. (Chatham-Kent L) | Haggerty, Ray (Niagara South L) |
| Bradley, Hon. James J. , Minister of the Environment (St. Catharines L) | Hampton, Howard (Rainy River NDP) |
| Brandt, Andrew S. (Sarnia PC) | Harris, Michael D. (Nipissing PC) |
| Breaugh, Michael J. (Oshawa NDP) | Hart, Christine E. (York East L) |
| Brown, Michael A. (Algoma-Manitoulin L) | Henderson, D. James (Etobicoke-Humber L) |
| Bryden, Marion (Beaches-Woodbine NDP) | Hošek, Hon. Chaviva , Minister of Housing (Oakwood L) |
| Callahan, Robert V. (Brampton South L) | Jackson, Cameron (Burlington South PC) |
| Campbell, Sterling (Sudbury L) | Johnson, Jack (Wellington PC) |
| Caplan, Hon. Elinor , Minister of Health (Oriole L) | Johnston, Richard F. (Scarborough West NDP) |
| Carrothers, Douglas A. (Oakville South L) | Kanter, Ron (St. Andrew-St. Patrick L) |
| Charlton, Brian A. (Hamilton Mountain NDP) | Kerrio, Hon. Vincent G. , Minister of Natural Resources (Niagara Falls L) |
| Chiarelli, Robert (Ottawa West L) | Keyes, Kenneth A. (Kingston and The Islands L) |
| Cleary, John C. (Cornwall L) | Kozyra, Taras B. (Port Arthur L) |
| Collins, Shirley (Wentworth East L) | Kwinter, Hon. Monte , Minister of Industry, Trade and Technology (Wilson Heights L) |
| Conway, Hon. Sean G. , Minister of Mines (Renfrew North L) | Laughren, Floyd (Nickel Belt NDP) |
| Cooke, David R. (Kitchener L) | LeBourdais, Linda (Etobicoke West L) |
| Cooke, David S. (Windsor-Riverside NDP) | Leone, Laureano (Downsview L) |
| Cordiano, Joseph (Lawrence L) | Lipsett, Ron (Grey L) |
| Cousens, W. Donald (Markham PC) | Lupusella, Tony (Dovercourt L) |
| Cunningham, Dianne E. (London North PC) | MacDonald, Keith (Prince Edward-Lennox L) |
| Cureatz, Sam L. (Durham East PC) | Mackenzie, Bob (Hamilton East NDP) |
| Curling, Hon. Alvin , Minister of Skills Development (Scarborough North L) | Mahoney, Steven W. (Mississauga West L) |
| Daigeler, Hans (Nepean L) | Mancini, Hon. Remo , Minister without Portfolio (Essex South L) |
| Dietsch, Michael M. (St. Catharines-Brock L) | Marland, Margaret (Mississauga South PC) |
| Eakins, Hon. John F. , Minister of Municipal Affairs (Victoria-Haliburton L) | Martel, Shelley (Sudbury East NDP) |
| Edighoffer, Hon. Hugh A. , Speaker (Perth L) | Matrundola, Gino (Willowdale L) |
| Elliot, R. Walter (Halton North L) | McCague, George R. (Simcoe West PC) |
| Elston, Hon. Murray J. , Chairman of the Management Board of Cabinet (Bruce L) | McClelland, Carman (Brampton North L) |
| Epp, Herbert A. (Waterloo North L) | McGuigan, James F. (Essex-Kent L) |
| Eves, Ernie L. (Parry Sound PC) | McGuinty, Dalton J. (Ottawa South L) |
| Farnan, Michael (Cambridge NDP) | McLean, Allan K. (Simcoe East PC) |
| Faubert, Frank (Scarborough-Ellesmere L) | McLeod, Hon. Lyn , Minister of Colleges and Universities (Fort William L) |
| Fawcett, Joan M. (Northumberland L) | Miclash, Frank (Kenora L) |
| Ferraro, Rick E. (Guelph L) | Miller, Gordon I. (Norfolk L) |
| Fleet, David (High Park-Swansea L) | |

Morin, Gilles E. (Carleton East L)
 Morin-Strom, Karl E. (Sault Ste. Marie NDP)
 Neumann, David E. (Brantford L)
 Nicholas, Cindy (Scarborough Centre L)
 Nixon, J. Bradford (York Mills L)
Nixon, Hon. Robert F., Deputy Premier,
 Treasurer of Ontario and Minister of Econom-
 ics and Minister of Financial Institutions
 (Brant-Haldimand L)
Oddie Munro, Hon. Lily, Minister of Culture
 and Communications (Hamilton Centre L)
 Offer, Steven (Mississauga North L)
O'Neil, Hon. Hugh P., Minister of Tourism and
 Recreation (Quinte L)
 O'Neill, Yvonne (Ottawa-Rideau L)
 Owen, Bruce (Simcoe Centre L)
Patten, Hon. Richard, Minister of Government
 Services (Ottawa Centre L)
 Pelissero, Harry E. (Lincoln L)
Peterson, Hon. David R., Premier and Presi-
 dent of the Council and Minister of Inter-
 governmental Affairs (London Centre L)
 Philip, Ed (Etobicoke-Rexdale NDP)
Phillips, Hon. Gerry, Minister of Citizenship
 (Scarborough-Agincourt L)
 Poirier, Jean, Deputy Speaker and Chairman of
 the Committees of the Whole House (Prescott
 and Russell L)
 Pollock, Jim (Hastings-Peterborough PC)
 Polsinelli, Claudio (Yorkview L)
 Poole, Dianne (Eglinton L)
 Pope, Alan W. (Cochrane South PC)
 Pouliot, Gilles (Lake Nipigon NDP)
 Rae, Bob (York South NDP)
Ramsay, Hon. David, Minister of Correctional
 Services (Timiskaming L)
 Ray, Michael C. (Windsor-Walkerville L)
 Reville, David (Riverdale NDP)
 Reycraft, Douglas R. (Middlesex L)
Riddell, Hon. Jack, Minister of Agriculture and
 Food (Huron L)

Roberts, Marietta L. D., Deputy Chairman of the
 Committees of the Whole House (Elgin L)
 Runciman, Robert W. (Leeds-Grenville PC)
 Ruprecht, Tony (Parkdale L)
Scott, Hon. Ian G., Attorney General
 (St. George-St. David L)
 Smith, David W. (Lambton L)
Smith, Hon. E. Joan, Solicitor General
 (London South L)
 Sola, John (Mississauga East L)
Sorbara, Hon. Gregory S., Minister of Labour
 (York Centre L)
 South, Larry (Frontenac-Addington L)
 Sterling, Norman W. (Carleton PC)
 Stoner, Norah (Durham West L)
 Sullivan, Barbara (Halton Centre L)
 Swart, Mel (Welland-Thorold NDP)
Sweeney, Hon. John, Minister of Community
 and Social Services (Kitchener-Wilmot L)
 Tatham, Charlie (Oxford L)
 Velshi, Murad (Don Mills L)
 Villeneuve, Noble (Stormont, Dundas and Glen-
 garry PC)
Ward, Hon. Christopher C., Minister of
 Education (Wentworth North L)
 Wildman, Bud (Algoma NDP)
Wilson, Hon. Mavis, Minister without Portfolio
 (Dufferin-Peel L)
 Wiseman, Douglas J. (Lanark-Renfrew PC)
Wong, Hon. Robert C., Minister of Energy
 (Fort York L)
Wrye, Hon. William, Minister of Consumer and
 Commercial Relations (Windsor-Sandwich L)

*The alphabetical list of members appears in each issue. Lists of the members of the executive council, parliamentary assistants and members of committees, brought up to date as necessary, are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

CONTENTS

Monday, June 27, 1988

Members' statements

Roller hockey, Mr. Philip	4661
Tax increases, Mr. Harris	4661
Poor children, Mr. McGuinty	4661
Dialysis units, Mr. R. F. Johnston	4662
Order-in-council appointments, Mr. Sterling	4662
Celebration 30, Mr. Cleary	4662
Violence against women, Mr. Allen	4662

Statements by the ministry

Shelter for the homeless, Hon. Ms. Hošek	4663
Electrical power, Hon. Mr. Wong	4663
Wine industry, Hon. Mr. Wrye	4664
Automobile insurance, Hon. R. F. Nixon	4665
Multiculturalism and ageing, Hon. Mrs. Wilson	4665

Responses

Automobile insurance, Mr. B. Rae	4665
Shelter for the homeless, Mr. Breaugh	4666
Electrical power, Mr. Morin-Strom	4666
Shelter for the homeless, Mr. Cousens	4666
Wine industry, Mr. Sterling	4667
Automobile insurance, Mr. Runciman	4667
Electrical power, Mr. Runciman	4667

Oral questions

Construction safety, Mr. B. Rae, Hon. Mr. Sorbara	4670
Rent regulation, Mr. B. Rae, Hon. Ms. Hošek	4671
1987 constitutional accord, Mr. Harris, Hon. Mr. Peterson, Hon. Mr. Scott	4672
Housing authorities, Mr. Cousens, Hon. Ms. Hošek	4673
Native land claim, Mr. Wildman, Hon. Mr. Kerrio, Mrs. Grier	4674
Transportation of dangerous goods, Mr. Runciman, Hon. Mr. Wong	4675
Soft-drink containers, Mr. McGuinty, Hon. Mr. Bradley	4675
Office of the worker adviser, Mr. Hampton, Hon. Mr. Sorbara	4676
Long-term disability insurance, Miss Martel, Hon. R. F. Nixon	4677
Madawaska trust park, Mr. Pollock, Hon. Mr. Kerrio	4678
Drinking and driving, Mr. Adams, Hon. Mr. Scott	4678
Speech pathology, Miss Martel, Hon. Mrs. Caplan	4679
Rouge Valley, Mrs. Marland, Hon. Mr. Bradley	4679
Retirement communities, Mr. Owen, Hon. Ms. Hošek	4680

Petitions

Abortion, Mr. Pope, tabled	4681
Retail store hours, Mr. Pope, tabled	4681

Pension benefits, Mr. D. S. Cooke, tabled	4681
Teachers' superannuation fund, Mr. D. S. Cooke, tabled	4681
Town of Clearwater, Mr. Smith, tabled	4681
Rouge Valley, Mr. Faubert, tabled	4681
Teachers' superannuation fund, Mr. Campbell, tabled	4682
Noise barrier, Mr. Mahoney, tabled	4682
Teachers' superannuation fund, Mr. Ballinger, tabled	4682
Tax increases, Mr. Sterling, tabled	4682
Retail store hours, Mr. Reycraft, tabled	4682
Control of smoking, Mr. Sterling, tabled	4683

Report by committee/Rapport émanant d'un comité parlementaire

Comité special de la réforme constitutionnelle, M. Beer, ajournement du débat	4683
Select committee on constitutional reform, Mr. Beer, adjourned	4683

First readings

Wine Content Amendment Act, Bill 167, Hon. Mr. Wrye, agreed to	4683
Power Corporation Amendment Act, Bill 168, Hon. Mr. Wong, agreed to	4683
District Municipality of Muskoka Amendment Act, Bill 169, Hon. Mr. Eakins, agreed to	4683
Aggregate Resources Act, Bill 170, Hon. Mr. Kerrio, agreed to	4683
Assessment Amendment Act, Bill 171, Mr. Philip, agreed to	4684
Assessment Amendment Act, Bill 172, Mr. Philip, agreed to	4684

Second readings/Deuxième lecture

Mining Amendment Act, Bill 132, Hon. Mr. Conway, Mr. Pouliot, Mr. R. F. Johnston, Mr. Pope, agreed to	4684
Public Lands Amendment Act, Bill 137, Hon. Mr. Kerrio, Mr. Wildman, Mr. Pollock, Mr. Pope, agreed to	4686
Loi modifiant la Loi sur les terres publiques, projet de loi 137, l'hon. M. Kerrio, M. Pouliot, adoption du projet de loi en deuxième lecture	4686
Municipal Extra-Territorial Tax Act, Bill 159, Hon. Mr. Eakins, Mr. Pouliot, Mr. Pope, agreed to	4690

Committee of the whole House

Municipal Extra-Territorial Tax Act, Bill 159, Hon. Mr. Eakins, Mr. Pouliot, Mr. Breaugh, progress reported	4694
--	------

Second reading

Motor Vehicle Repair Act, Bill 22, Hon. Mr. Wrye, Mr. Philip, Mr. J. M. Johnson, agreed to	4696
---	------

Committee of the whole House

Motor Vehicle Repair Act, Bill 22, Hon. Mr. Wrye, Mr. Philip, Mr. J. M. Johnson, reported	4698
Municipal Extra-Territorial Tax Act, Bill 159, Hon. Mr. Eakins, Mr. Breaugh, Mr. Pouliot, reported	4703

Second readings/Deuxième lecture

Execution Amendment Act, Bill 6, Hon. Mr. Scott, Mr. Offer, Mr. Sterling, agreed to ..	4704
International Sale of Goods Act, Bill 90, Hon. Mr. Scott, Mr. Offer, Mr. Hampton, Mr. Sterling, agreed to	4704

Loi sur la vente internationale de marchandises, projet de loi 90, l'hon. M. Scott, adoption du projet de loi en deuxième lecture	4704
--	-------------

Answers to questions in Orders and Notices

Community advisory boards, question 109, Mr. Runciman, Hon. Mrs. Caplan	4706
Community safety, question 113, Mr. Runciman, Hon. Mrs. Caplan	4706
Ministry spending, questions 278 to 316, Mr. Cureatz, Mr. Pollock, Mr. McCague, Mrs. Cunningham, Mr. Jackson, Mr. Eves, Mr. McLean, Mr. Pope, Mr. Runciman, Mr. J. M. Johnson, Mr. Sterling, Mrs. Marland, Mr. Villeneuve, Mr. Cousens, Mr. Harris, Mr. Eves, Hon. Mr. Elston	4706
Canada Christian College, questions 317 and 321, Mr. Jackson, Hon. Mrs. McLeod . . .	4709
Interim answers, questions 128, 322, 328 and 329	4710

Responses to petitions

Naturopathy, sessional paper P-1, Hon. Mrs. Caplan	4710
Chronic care, sessional paper P-18, Hon. Mrs. Caplan	4710
Ontario Hydro administrative centre, sessional paper P-20, Hon. Mr. Wong	4711

Other business

Translation of report, Mr. Harris, Mr. Speaker	4668
Sidney Handleman, Mr. Sterling, Mr. B. Rae, Hon. Mr. Conway	4668
Business of the House, Hon. Mr. Conway	4705
Adjournment	4705
Alphabetical list of members	4712



CAZON
21
-523

No. 86

Hansard

Official Report of Debates

Legislative Assembly of Ontario

First Session, 34th Parliament

Tuesday, June 28, 1988

Speaker: Honourable Hugh A. Edighoffer
Clerk of the House: Claude L. DesRosiers

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$16.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday, June 28, 1988

The House met at 1:30 p.m.

Prayers.

MEMBERS' STATEMENTS

ONTARIO MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM

Mr. Farnan: Two and a half years ago, Bob McMaster took early retirement from his job with Cambridge Transit. Not yet 65, Mr. McMaster's Ontario municipal employees' retirement system pension was figured at \$252 per month. Eight months later, Mr. McMaster was diagnosed by his doctor as disabled, and he applied for and received a Canada disability pension.

At this stage, Mr. McMaster's OMERS benefits were cut to \$116 per month, a cut of more than 50 per cent. After contacting the Premier (Mr. Peterson) and several ministers, Mr. McMaster got no assurance that this issue would be addressed. This is an unacceptable situation for Bob McMaster and other disabled individuals.

The real crime here is that if Mr. McMaster had been able to work, he would be allowed to earn unlimited moneys without any reduction of his OMERS benefits. But now that he is unable to work to supplement his already meagre income, OMERS has taken what is rightfully his.

After all, Mr. McMaster is not looking for a handout. On the contrary, the money is already his, duly deducted from his wages. I urge the Minister of Financial Institutions (Mr. R. F. Nixon) to review the regulations governing OMERS and to rectify this procedure, which represents a real injustice and hardship to individuals like Mr. McMaster.

I believe what we are talking about here are individuals who have no idea that the payments they are making into OMERS can be reduced if they eventually end up on a Canada disability pension. It is something that must be rectified. I ask the minister to check this out and rectify it.

LAND USE

Mr. Cureatz: I would like to direct some comments to the Minister of Energy (Mr. Wong). It is with great interest that I see he has brought forward proposed legislation directing

Ontario Hydro as to what to do with its energy in those crucial situations with regard to the free trade agreement.

I say to the Minister of Energy, while he is telling Ontario Hydro what to do, why does he not start speaking with the Minister of Housing (Ms. Hošek) and remind her that the Premier (Mr. Peterson) has called all the municipal politicians in the Golden Horseshoe to his office to suggest to them that they get some more housing in the Golden Horseshoe area?

I can tell the Minister of Energy that Ontario Hydro has a surplus of lands all across Ontario because of the recent expropriations for its power line corridors. In the town of Newcastle, there is a substantial amount of acreage, ready to be serviced, to supply needed housing. If he is going to start telling Ontario Hydro what to do, he should start telling it what to do with regard to the surplus land it has.

While he is on the roll, he should be talking to the Minister of the Environment (Mr. Bradley) about cogeneration facilities. We have a garbage crisis in the Golden Horseshoe, and the Minister of the Environment is not doing a thing about it. I say to the Treasurer (Mr. R. F. Nixon) that I am ashamed for him to be allowing the Minister of the Environment to get away with what he is getting away with.

Metropolitan Toronto has proposed three landfill sites in the town of Newcastle. I am saying no to Metropolitan Toronto. I am saying to Gary Herrema, chairman of the region of Durham, "Dissociate yourself from Metro Toronto and the proposed dumps." I say to the Minister of Energy, "Start talking to the Minister of the Environment about cogeneration in the Golden Horseshoe."

PROVINCIAL MEMBER'S AWARDS

Ms. Hart: I rise today to welcome to the members' gallery two outstanding young people from York East who are recipients of the first Provincial Member's Awards. It was to recognize the accomplishments of young people that I established the Provincial Member's Award program. The award is presented to a student from each high school in York East who has shown innovative leadership, having both initiat-

ed and implemented a project which has enriched the lives of others.

East York Collegiate Institute will hold its awards presentation in the fall. At Leaside High School we could not make up our minds between the outstanding possibilities, so I decided to give the award to two deserving young people.

Pauline Peng received the award for her efforts in setting up the student career advancement network. This organization encourages female high school students to keep their career options open by studying math and science. Stephen Black received the award for having shown impressive leadership by directing three major productions of the school's dramatic society, a job always in the past done by teachers. This is not to mention the outstanding academic standards achieved by these two young people.

I would like to commend Ms. Peng and Mr. Black and all the young people of York East for their valuable contribution to the community.

YOUTH SHELTER

Mr. R. F. Johnston: I rise the day after the taping of *More Than Just a Roof*, the report on the housing crisis in Metropolitan Toronto, to talk a little bit with members of this House about the problems I am having in my riding with a shelter for youth which we are trying to establish. The legitimate concerns of residents have been fanned into unnecessary fears by an unscrupulous local politician, which culminated in the booing of June Callwood and the calling in of police at a meeting last week.

I think the need for housing, especially for young people, is well documented, and the suburbs need the kind of shelters this one will provide.

I would encourage the minister to announce funding for more shelters at this time and the Liberal members of the other Scarborough ridings to join me in offering their services in mediation with the community in this one case; and also in requesting from the minister funding for another shelter in Scarborough, because the numbers certainly do warrant and deserve it, and should we look after our own children at home rather than expecting them to end up in adult hostels in the centre of town.

BURLINGTON AREA TRANSPORTATION

Mr. Jackson: The Minister of Transportation (Mr. Fulton) has come to be known as the phantom of Burlington. The residents of Burlington have not seen or heard much from the minister in recent months and, more significant,

the projects that the Premier (Mr. Peterson) had intended to carry out in Burlington are visibly absent.

What has the minister done to ease the congestion between Burlington and Toronto on the Queen Elizabeth Way? When will he signal the start of the Highway 403 bypass in Burlington? What has he done to provide more parking to encourage the use of GO Transit? The answer to all of these questions is nothing. In fact, at present, GO Transit patrons are being asked to pay a \$25-a-day penalty for using an overcrowded parking lot. GO Transit fares will again increase as of July 1.

One of the projects the Premier promised to Burlington that his phantom minister has yet to provide was the Brant Street-QEW overpass reconstruction. Last week that project was postponed again, this time for a whole year. As well, the Guelph Line-QEW interchange, the Hager-Rambo diversion and the improvements to Lehighland Avenue have all been indefinitely delayed.

Burlington would much appreciate a courtesy call from the apparition from Queen's Park. He might find the time to explain to my constituents why his government has not dedicated increased gas taxes from its last budget to highway reconstruction. Instead, all he can say is that because of bureaucratic cost overruns in his own ministry, the people of Burlington will have to wait and suffer.

1340

CAMBRIDGE MEMORIAL HOSPITAL

Mr. Farnan: The Minister of Health (Mrs. Caplan) will be aware of the extraordinary community support for the Cambridge Memorial Hospital; support, I might add, that encompasses the administration, the board, the medical professionals, doctors, nurses and support staff, and the army of volunteers that makes CMH such a fine community hospital.

Right now, I would like to present to the minister over 500 individual letters. They are expressions of support for our hospital. Later this afternoon, and I hope the minister will be present in the House, I will present a petition with over 12,000 signatures of Cambridge residents.

The citizens of Cambridge are anxiously awaiting some clear signals from the ministry with regard to our community hospital. My sense is that the people of Cambridge applaud the co-operative approach taken by the board of directors at its recent annual general meeting and they are hopeful that the ministry will work with

and assist our board in maintaining a quality level of service.

I will ask one of the pages to please come over to deliver over 500 letters of support that were received by the academy of medicine in support of the hospital. I remind the minister that there are over 100 additional letters, which I will be presenting tomorrow and which were reported in the local Cambridge Reporter.

DRIVERS' LICENCES

Mr. McLean: My statement is directed to the Minister of Transportation (Mr. Fulton). There is a gentleman in my riding who has the sight of one eye only; he lost the sight in his other eye while very young. This fellow has a regular class G driver's licence which permits him to drive an automobile and a light truck in Ontario. He has never had an accident and has no blemishes on his driving record.

My constituent applied to take a test for a class D driver's licence, but he was informed that he could not qualify because he could not pass the eye examination. A person with only one arm or one leg could pass the test and qualify for a D licence, but a person with sight in only one eye cannot. This leads me to believe that the ministry considers a person with sight in only one eye to be handicapped while a person with only one leg or arm is not disabled. The time has come to review the driver's examination process so that people with one eye may be able to pass.

Mr. Fleet: Mr. Speaker, on a point of order: I would like to seek unanimous consent of the House to introduce an important guest who is visiting the House.

Mr. Speaker: Is there unanimous agreement? Agreed to.

DR. ALGIRDAS STATKEVICIUS

Mr. Fleet: It is my honour to introduce as a guest in the member's gallery an international figure, Lithuanian dissident Dr. Algirdas Statkevicius. A prominent Lithuanian patriot and a member of the Lithuanian Helsinki group, Dr. Statkevicius was a practising psychiatrist in Vilnius and author of medical, sociological and political works.

For his dedication to human rights and freedoms, for his human compassion, he was repeatedly arrested by Soviet authorities. First jailed for nine years and later interned in psychiatric hospitals for two and a half years and then seven years, Dr. Statkevicius was allowed to leave the Soviet Union only last month.

He is joined today by prominent members of the Lithuanian community following a reception with the Minister of Citizenship (Mr. Phillips). With us are Vytautas Bireta, who is the president of the Lithuanian Canadian Community national executive; and Milda Lenkauskas of the World Lithuanian Community, national executive representative. As well, joining in the reception were Al Juzukonis and Joana Kuras, who is a vice-president of the Lithuanian Canadian Community national executive.

As recently as last Friday, a reported 60,000 people publicly demonstrated in Vilnius for greater autonomy and freedoms in Lithuania. Despite pervasive Soviet obstacles, the desire for the self-determination of Lithuania by Lithuanians grows even stronger.

As we remember to treasure our human rights and freedoms in Canada, let us also celebrate and support the human personification of a candle that has defied the darkness. Dr. Algirdas Statkevicius.

Mr. R. F. Johnston: It gives me a great deal of pleasure to welcome the doctor to our presence today. It is of special importance to me, my wife being Lithuanian and very involved with Lithuanian committees here in Canada, which have tried over the last number of years to get the point across to the Canadian public about the problems of dissidents in Lithuania. I had been hoping to travel to Lithuania this summer, but unfortunately I am going to have to put that off until next year for personal reasons.

But it is important that this Legislature understand the difficulties of the people from the Baltic states and their own rights to self-expression and freedom of religion which we take so much for granted. Many Lithuanian dissidents have ended up in Canada where there is a great community of support for them. This House is honoured today to have somebody who has gone through the trials, as the good doctor has. Many others are presently in psychiatric institutions and in prison for their desire to have the kinds of freedoms we daily abuse in this House and take for granted in this province.

On behalf of our caucus, I welcome the doctor to our Legislature today.

Mr. Sterling: I had the pleasure of meeting the doctor. I have difficulty pronouncing his name, so I will not take the opportunity to mispronounce it; but I can say that this is a man of tremendous integrity, experience and belief. Having spent 18½ of his years of life in prison for his beliefs is an attestation to his integrity and to what he believes is right for Lithuania.

I joked with the doctor and told him that if the same rules applied here in Ontario as applied in Lithuania, I would have several life sentences upon my head. I am sure you will agree, Mr. Speaker; you are nodding your head.

I asked the doctor how we, as members of the Legislature, could assist him in his fight for freedom of speech and freedom for the people of Lithuania. While he pointed out to us that glasnost is a ray of light for the people of Lithuania, it is not an answer. There are many, many people who have been imprisoned for uttering but a few words in his former country.

He would ask each and every one of the members of the Legislature to continue to push the Soviet Union for a complete amnesty for all political prisoners whenever they made their statements, before or after glasnost.

STATEMENTS BY THE MINISTRY

NORONTAIR

Hon. Mr. Fontaine: As the members are aware, my ministry has been considering the sale of the norOntair system to another air carrier.

It gives me great pleasure to announce today that, after an intensive review, we have decided to continue to operate norOntair and to improve the quality and cost-effectiveness of its service to the north's smaller communities. That decision was taken after extensive consultation with the people of those communities.

To meet the commitment for improved service, the government will enter into an agreement with Air Ontario for the purchase of two de Havilland Dash-8s currently owned by norOntair. Among the proposals received, the Dash-8 aircraft was judged to be the most attractive in financial terms and for Air Ontario's routing.

Air Ontario's purchase of the two Dash-8s will allow that airline to improve its service to northern communities, adding destinations and increasing the number of flights per day with the two planes. In addition, an integrated system will be developed to give northerners better fares when they connect with other flights. Air Ontario will shortly announce detail of this enhanced service.

A reasonable offer of employment will be made to each employee affected by the sale of the Dash-8s.

1350

The proceeds from the sale of the Dash-8s provide the Ontario Northland Transportation Commission with an opportunity to purchase modern, faster and more appropriately sized aircraft to better serve the smaller northern

communities, in keeping with norOntair's original mandate. This government is committed to providing levels of air service necessary to support the ongoing economic and social development of the north. We want to do so, however, in a way that complements, not competes with, the services provided by regional air carriers. The changes I have announced today will do just that.

Monsieur le Président, cela me fait plaisir aujourd'hui d'annoncer la vente d'une partie de norOntair, les deux Dash-8, mais avec l'argent que nous allons recevoir d'Air Ontario, nous avons décidé d'acheter d'autres petits avions plus modernes et plus efficaces pour desservir les petites communautés du Nord de l'Ontario.

La raison pour laquelle nous avons fait cela, c'est que norOntair, lors de sa mise en place il y a quinze ans, avait pour but de desservir les petites communautés et non pas d'entrer en compétition dans les grands centres ou avec les grandes lignes, comme à Winnipeg ou à Thunder Bay. Alors, je suis persuadé que l'offre d'Air Ontario pour les Dash-8 est la meilleure, non pas en argent mais en ce qui concerne la distribution routière.

Une chose qu'on va s'engager à faire, c'est de signer des ententes de tarifs intégrés qui aideront les petites communautés à avoir de meilleurs prix pour voyager à Toronto ou ailleurs dans le monde et, en même temps, à profiter des soldes de fin de semaine, puisque chez nous, dans ma propre communauté de Hearst, nous ne bénéficions pas de ces soldes-là; il fallait que les gens aillent à Kapuskasing pour en profiter. Alors là, j'ai fait des ententes pour que toutes les petites communautés fassent partie du système intégré.

SOCIAL ASSISTANCE

Hon. Mr. Sweeney: I wish to advise members of the House that my ministry is taking a further step to provide greater equity in payments to social assistance recipients.

As of September 1, 1988, utility costs that are paid separately from rent will be included in the definition of shelter costs. This change will raise the payment levels of most social assistance recipients who are now paying their own utility costs.

Currently, if a person who is receiving social assistance pays his or her utility bill separately from rent, that cost is not taken into account in the calculation of that client's social assistance. On the other hand, if a client's utility costs are included in the rent, those costs do form part of the amount on which the assistance is based. In

other words, people in similar circumstances are receiving benefits that are not the same.

This government is determined to achieve more equitable shelter subsidies for social assistance recipients and thus help less advantaged people in our province to obtain adequate housing. Accordingly, in this year's budget, the Treasurer (Mr. R. F. Nixon) has allocated \$20 million annually to allow utility costs to be incorporated in the calculation of shelter subsidies.

For the purposes of the initiative, utilities are defined as the cost of any source of energy, such as electricity, gas or propane, necessary for normal household uses except for heating. Heating costs are already included in the calculation of benefits. Utilities will also include the cost of water.

Approximately 40,000 individuals and families who are receiving family benefits and general welfare will see increases in their social assistance payments. The utility costs for clients will be set at pre-established amounts that vary by family size. These will range from \$35 per month for a single person to \$70 a month for a family of six or more. Recipients whose actual costs exceed the stated amounts will have those actual costs taken into account.

A major issue common to Ontario's income maintenance programs is the adequacy of benefit levels and their fairness across the board. I have no doubt that the report of the Social Assistance Review Committee, which is expected in September, will address these issues. However, instead of waiting for that report, the government's approach has been to identify specific areas of financial need and inequity and to respond as appropriately and as quickly as possible.

In the past three years, we have made improvements in the social assistance system totalling more than \$317 million. The change I have outlined today continues that policy. By making the payment of shelter subsidies more equitable, we have taken a step towards a better and fairer system for all social assistance recipients in Ontario.

PROPERTY AND CASUALTY INSURANCE COMPENSATION PLAN

Hon. R. F. Nixon: Members may recall that in December 1986 the House passed legislation providing the framework for Ontario's participation in an industry-financed compensation plan for the general insurance industry. Such a plan

would include those companies selling automobile insurance.

The act calls for all of Ontario's licensed property and casualty insurers, except farm mutuals, to participate in the plan once a compensation corporation is designated by regulation. Farm mutuals already have a compensation plan in place.

I am pleased to inform the members that Ontario will be entering into the property and casualty insurance compensation plan effective August 31, 1988. The Property and Casualty Insurance Compensation Corp., la Société d'indemnisation en matière d'assurances IARD, is designed to provide compensation of up to \$200,000 to policyholders or claimants in the event of the insolvency of a general insurance company operating in Ontario.

This compensation plan will benefit consumers and enhance public confidence in the property and casualty insurance industry.

CONSUMER PROTECTION

Hon. Mr. Wrye: It is my pleasure to table today the directions report of the legislative review project.

Created in November 1986, the legislative review project's mandate was to review the 20 pieces of consumer legislation administered by my business practices division and to bring forward proposals that would assist the ministry in developing a new consumer protection strategy for this province. The review team was headed by Dr. Gregory Mazuryk, who is in the members' gallery today. I would like him to stand up and be recognized.

Examined in great detail are two major pieces of existing legislation, the Business Practices Act and the Consumer Protection Act, as well as industry-specific legislation on such diverse topics as real estate, motor vehicle repairs and purchases, travel and new home warranty programs. Most of Ontario's consumer protection laws date back to the late 1960s, and it has become increasingly obvious that many of these laws need to be overhauled to represent more accurately the consumer marketplace of today.

We want to develop a structure for regulatory mechanisms and marketing practices that reflects the rights, responsibilities and expectations of today's and tomorrow's consumer. At the same time, we do not wish to intervene unnecessarily in the marketplace or, as the saying goes, fix what is not broken. One of the review team's most important tasks was to formulate a set of basic principles of marketplace fairness against

which government policies and legislative initiatives can be measured.

The report concludes that marketplace fairness is founded on four fundamental principles: reasonable disclosure of information, transactional fairness, fair value—for example, product quality or reasonable value for price paid—and reasonably available and accessible consumer remedies or dispute resolution mechanisms.

One of the key proposals made by the review team is the consolidation of our basic consumer protection laws into a foundation statute or consumer protection code which would embody the basic rights, responsibilities and remedies of consumer transactions. The report further suggests that industry-specific statutes, such as the existing Travel Industry Act, be revised and their generic consumer protection provisions transferred to the consumer protection code.

The directions report contains a wide range of proposals on an extremely diverse set of existing legislation. Some of the suggestions appear to be quite practical and logical, while others may be considered controversial. No doubt some proposals will be adopted and others will not. The legislative review project was a formidable challenge for all involved. That challenge continues. Release of this report is only the first step in the revamping of our consumer protection laws.

My ministry has already created an internal structure to review the report and its accompanying research papers. Following public consultation, specific legislative proposals will be developed and brought forward for consideration. With the directions report as a guide, I look forward to the development of simplified yet comprehensive consumer protection laws that will take us into the 1990s and beyond.

1400

RESPONSES

PROPERTY AND CASUALTY INSURANCE COMPENSATION PLAN

Mr. Swart: I would like to respond briefly to the statement by the Minister of Financial Institutions (Mr. R. F. Nixon) and say that I welcome this industry-financed compensation plan with very little enthusiasm. It is inadequate. Why should somebody be limited to \$200,000 if the person who causes the accident bought a plan for \$1 million? They are perhaps injured for life and the maximum settlement is going to be \$200,000. Surely a plan for compensation should in fact pay the claims in the original plan of the company that went bankrupt.

More than that, this demonstrates the inadequacy of the private insurance system in another way, compared to the public system. If we had a public auto insurance system, we would not need this, and the minister knows it. If he wants to really do something to protect the motorists of this province, he should bring in that public auto insurance system.

NORONTAIR

Mr. Pouliot: Air Canada is soon to become a private corporation. It has been the recipient, over many years, of large donations, large subsidies from every Canadian taxpayer. The show goes on and on with the announcement this afternoon that the Ministry of Northern Development intends to sell two Dash-8s to Air Canada. What we have here is nothing short of socialism for the rich and free enterprise for the poor people, free enterprise for the people living in small communities who will have to bear the costs of the donation from the Minister of Northern Development (Mr. Fontaine).

Since the enactment of Air Ontario, it has not increased services to remote and small communities in northern Ontario. Quite the contrary, we have less and less service. The Dash-8s were built for one reason; they were built for the purpose of a crown corporation making service adequate at a reasonable price. That is no longer the order of the day. The minister has chosen to renege on his mandate, and the people of northern Ontario will suffer the consequences. It is a sad day indeed, and I take no pleasure in the minister's announcement.

Mr. Morin-Strom: As northern transportation critic, I would like to comment as well on this extremely disappointing announcement from the Minister of Northern Development. Surely what we are seeing here from this government are further movements towards a Thatcherite approach to transportation services right across the northern Ontario.

As we continue to lose out in terms of services that are provided in the north, this government is doing nothing to stem the tide. We see Air Ontario and Air Canada cutting services, and this government is just selling itself right into the same practices with the sale of these assets. These are assets of the province of Ontario that are being utilized for people of northern Ontario. The two best planes that are used on the norOntair routes are being sold, and we are being given nothing in return.

This government is not interested in providing the same kinds of services that have been

provided in the past and improving on those services to the smaller communities in northern Ontario. It is just promoting privatization and cutback in terms of services that we are seeing from the Air Canada-Air Ontario conglomerate.

Surely what we have here is lemon socialism from this Liberal government, more and more to the rich and the powerful and less and less to the communities that really need the help.

SOCIAL ASSISTANCE

Mr. Allen: Responding to the statement by the Minister of Community and Social Services (Mr. Sweeney), I am sure the 40,000 social assistance recipients in the province will be at least a little bit happy about this statement, because \$45 a month is certainly better than nothing in their circumstances.

In his announcement, the minister suggests he is continuing the tinkering that he and his ministry have been doing with respect to the shelter aspect of social assistance payments in recent years. If he wished to attack the problem in a reasonable fashion and follow his own objective of achieving equitable shelter subsidies, perhaps he would have done a good deal more for them if he would allow them 100 per cent subsidies rather than 75 per cent for shelter. That would come close to at least doing something about the real conditions and difficulties they have.

CONSUMER PROTECTION

Mr. Brandt: I wanted to respond to the Minister of Consumer and Commercial Relations (Mr. Wrye) with respect to the legislative review project. As I have just received this rather extensive piece of reading material on my desk within the last five minutes, I want to suggest that I have only had an opportunity to peruse about half of it; I will finish the other half in the next five minutes. I know the minister has read these documents in detail and has covered all aspects of the reports which are before him in an exhaustive kind of way.

Let me say that I support the minister's initiatives in taking a look at some of the legislation that is in his ministry. I think it is an acknowledged fact that his ministry has more legislation and more acts for which he is responsible than any other ministry in the entire government, for which he is amply paid.

However, having said that, I would like the minister, in the review process he intends to take of the various pieces of legislation which do come under his particular purview, to be very

careful about certain aspects of intervention which have some people upset who are aware of the initiatives that are under way relative to reviews of certain types of legislation. Certainly we on this side of the House, speaking for our party, will support consumer protection that is reasonable. We also recognize, if I may quote the words of a former Prime Minister, that where the government has no business in the bedrooms of the nation, the government also has a limited amount of business in certain business transactions.

That is where the government has to take a position where it backs off to a reasonable length and indicates to the business community and to consumers alike that they too have a responsibility with respect to entering into a negotiated settlement for a particular business deal which is mutually beneficial and that they enter into those deals with their eyes wide open.

I think a lot of consumer information that has been coming out of the ministry is good in terms of educating the consumers as to what the government can and cannot do. Sometimes those of us in government tend occasionally—and I speak of the minister as an office holder and myself in opposition—inadvertently, perhaps, to raise the expectations, if you will, of consumers, so that they get the impression—and I get this in my office rather frequently—that every single business transaction is protected by the government.

That will not be the case when the minister finishes his study. When he brings in revised legislation or revised regulations, that will simply not be the case. Let us make sure that, along with updating the language, simplifying it, making the legislation up to date, at the same time we educate consumers and let them know we are a party to an effort to make business practices fairer, more equitable, more reasonable and—I think the bottom line—more understandable for all parties concerned.

SOCIAL ASSISTANCE

Mrs. Cunningham: Mr. Speaker, I would like to respond to the statement made by the Minister of Community and Social Services (Mr. Sweeney) with regard to shelter subsidies becoming more equitable. I think it is admirable that the minister has chosen to recognize this problem: utility costs, light, heat and water. Helping people at this time of year, I am sure they will notice on their monthly pay. It is the time of year one would be very much concerned, I am sure, about the cost of heat.

I would suggest that this is another Band-Aid approach to the real problem, and that is that we have been waiting a long time for the Social Assistance Review Committee report. I would think that this government should be looking at global policies to help people in need across this province and that these little bits and pieces of candy that are handed out from time to time are not the kinds of things that people across the province, whether they be in need or whether they be people who are concerned about those in need, are apt to give much respect to.

I have two requests of the Minister of Community and Social Services: that he very quickly release the report of the Social Assistance Review Committee; and that he look at the real issue, which is that the assistance benefit levels are far below the poverty line and do not reflect the rising cost of food and shelter or utilities in spite of what he is doing today. Our party's hope is that not only will he raise this level of support, but also he will tell us how to best manage the increase that the needy people in this province so much deserve.

1410

ACCESS TO INFORMATION

Mr. R. F. Johnston: Mr. Speaker, I have a point of order on the question of access to information from the ministries, a matter which has been raised in the past.

On April 28, in an exchange between my leader, the member for York South (Mr. B. Rae), and the Minister of Education (Mr. Ward), the minister indicated that, "I am happy to make available to all members of the House guidelines for the approval of school accommodation needs and an elaboration of the process that takes place, as well as information relative to what boards have requested."

Our research director then sent a letter that day, pursuant to this exchange, to the deputy minister—this is dated April 28—to which we have, at this point, had no acknowledgement or response. As a result, on May 30 again, our research director, Mr. Rachlis, wrote a freedom-of-information request to the Ministry of Education for this kind of information. As of June 21, we have just received a letter from the ministry, which indicates that the material requested can be had for the usual fee of \$696 plus a \$300-plus deposit that would be involved.

I would ask again that this matter be referred, along with the other matters raised by the member for Carleton (Mr. Sterling) and the matters raised around the hospital requests in

another area of the province, that we look into this whole question about how members of the opposition can do their jobs if the ministry staff do not provide the information and if freedom of information is being used as a means of deflecting us from our rightful access to information.

Mr. Speaker: I listened very carefully to the member for Scarborough West. I believe I gave a ruling on that same point and suggested that the members had the right to ask during question period. I believe it is also possible to amend the legislation so that changes could be made, and I would ask the member if he might like to review my previous response.

Mr. R. F. Johnston: You also made a referral.

Hon. Mr. Conway: Mr. Speaker, to make that point officially, as the member for Scarborough West observes, after an earlier discussion of this matter in the House, and by agreement, there was a referral out to the standing committee on the Legislative Assembly, which referral will be taken up in the not-too-distant future, at which time, I am sure, the honourable member might very well want to attend.

ORAL QUESTIONS

RENTAL HOUSING PROTECTION

Mr. B. Rae: I have some questions today for the Minister of Housing. The minister will, I am sure, be aware of the stories that were told today at a press conference earlier by people who are facing eviction, whose buildings are being made vacant and who are being made homeless. This is all being done because of weaknesses in the minister's own legislation.

I wonder what the minister can say to Lisa Hampton who gave her story to the media this morning and talked about her situation. I wonder what she can say about people who have been living at 199-201 Carlton Street, which is a 12-unit rooming house. I wonder what she can say to the tenants who live at 253 Wellesley Street East who face similar circumstances.

I wonder if the minister can explain to the House exactly what she is doing to protect the rights to a roof—if I can use the words of the report yesterday—of the people like Lisa Hampton.

Hon. Ms. Hošek: It is illegal under the Rental Housing Protection Act to evict tenants for the purposes of renovation, conversion or demolition. Where we discover that is going on, we investigate and we prosecute. If there are any

other examples that the member wishes to bring forward of where anything of this sort has been happening, we will follow up, investigate and, if it is warranted, prosecute.

Mr. B. Rae: I am sure we will all be delighted in hearing from the minister the details of her successful prosecutions under the Rental Housing Protection Act.

By way of supplementary, the minister will no doubt be aware of the decision of the Ontario Municipal Board affecting a number of vacant buildings in Etobicoke which were approved for demolition by the Etobicoke council, over the objections of many of the people in the area and indeed many of the tenants in those buildings. This approval for demolition has been approved again by the Ontario Municipal Board.

I wonder if the minister would not agree that the fact that vacant buildings can be demolished is itself the villain in the piece and she should be changing the regulations to the Rental Housing Protection Act to make it clear that vacant buildings cannot be demolished. Indeed, buildings which have been used for rental accommodation at all across the province should not be demolished, because in allowing their demolition, we are in fact causing the eviction of seniors and the disappearance of rental housing in a market which is already overloaded.

Hon. Ms. Hošek: I think there are two issues here. It is illegal to harass tenants and to cause them to leave their buildings in order to render the buildings vacant for the purpose of conversion. This harassment or any other kind of behaviour of this sort is illegal under the Rental Housing Protection Act. It is also simply illegal. We are prepared to deal with that issue through investigation and prosecution.

The other issue, the one about the situation of vacant buildings under the regulation, is one that we are taking under advisement in the process of reviewing the legislation. We are going to be looking at various responses the people have given us in relation to amending or changing the Rental Housing Protection Act in order to make it a better law. It is perfectly clear that the law has some problems. That is the reason we are looking at it, in order to improve it. People are bringing forward their suggestions, and the one about vacant buildings is certainly one of them.

Mr. B. Rae: We have raised in this House a number of examples. In the minister's own constituency, on 114 Vaughan Road, I can show the minister the request from the landlord for a rent increase of 123 per cent which was presented to the residents of that building.

The minister should know this is going on, and she should know that the law she is presiding over is obviously ineffective in dealing with the problem. Why does the minister not simply change the regulations now so that buildings that are vacant cannot be converted and cannot be subjected to the kind of demolition and plans and proposals for conversion which in fact are evicting tenants and decreasing the supply of affordable housing?

How could she welcome, yesterday, the report on homelessness and then preside over a piece of legislation which is contributing to the problem of homelessness?

Hon. Ms. Hošek: The Rental Housing Protection Act does indeed have some flaws. That is the reason we are going to change it. The last time this law was passed, it was passed in a hurried fashion. We are not going to make the same mistake again.

The protections of the act have been extended. We are looking at all the suggestions that have been brought forward, including suggestions made in this House and including the suggestions made by the honourable member opposite, which I take very seriously. The deadline for submission of those is July 1. We will be working with those suggestions and with the conversations we have had with people, including the things that have been said in this House, to bring forward a better and more adequate law than the one we currently have.

Mr. B. Rae: The minister seems to be saying to the House that the legislation was a mistake, and she is sorry she introduced and passed it. She has been presiding over it for two and a half years. If that is not a nonsensical statement by a minister, I do not know what is.

Hon. Mr. Mancini: She didn't say that.

Mr. B. Rae: The minister admits there are mistakes in the legislation. That is what I heard her say. Television will tell the story. Only television can tell.

WINE INDUSTRY

Mr. B. Rae: My question is for the Minister of Consumer and Commercial Relations, who made his announcement yesterday with respect to the Wine Content Act.

It is my understanding from discussions I have had that in fact the minister, or his ministry, though he did not release details of this, has signed or been party to an agreement between him, the Wine Council of Ontario and the grape growers which provides for a reduction of at least

10,000 tons of Ontario grapes bought by Ontario wineries this year.

That is almost a one-third reduction. I wonder if the minister, in the government's much-vaunted so-called attack on free trade can in fact confirm that the first practical step taken with respect to the grape industry is a one-third reduction in the amount of Ontario grapes that are to be guaranteed purchased by Ontario wineries. Can the minister confirm that?

1420

Hon. Mr. Wrye: As the honourable Leader of the Opposition will know, the Wine Content Act speaks to quotas for individual wineries, obviously adding up to a total quota. This is the first time that this has been provided for, and as this general package comes forward, there is a proposal, as part of our overall strategy to provide a competitive industry, for a quota of 25,000 tons of grapes to be sold to the wineries.

The wineries very clearly have responsibility through the wine council to take up that quota, and I do not think anyone has ever suggested otherwise. There is expected to be, over the next period of years, some reduction in the acreage as Ontario moves to a strategy to make the industry more competitive.

Mr. B. Rae: Cutting through the gobbledygook, last year the wineries bought over 36,000 tons. This year they are agreeing to and the government is approving a purchase of about 25,000 tons. If that is not a reduction of about 11,000 tons, I do not know what is.

When the minister announced his policy, he would not have said that in fact we are phasing out the future for Ontario grapes and we are phasing out the future for Ontario grape growers.

How can the minister, in all conscience, stand in his place and present a piece of legislation which provides for a one-third reduction—that has nothing to do with price; we do not even know what the price is going to be; all we know is how much is going to be there—and not introduce in the House at the same time a clear package of compensation for people who are working in that industry who are obviously going to be affected by that kind of a cut? How can he announce the Wine Content Act and at the same time not announce a program for grape growers, not announce a plan for the future of this industry and instead provide for its cutback?

Hon. Mr. Wrye: The honourable member would realize that for the very first time there has been an absolute commitment made by the wine industry, which has not been made before, to buy a specified amount of Ontario grapes. The matter

of an adjustment and what will happen during the adjustment has been under discussions involving the industry, but I am sure my friend is not so far removed from his days in Ottawa that he would not realize the primary responsibility that the federal government would have in that field.

Mr. B. Rae: Yes, I am.

Hon. Mr. Wrye: Perhaps my honourable friend is, but those discussions are continuing.

I would leave this thought with the honourable member, however. Among the signatories to the statement back in late fall of last year, who have gone forward in support of the proposal that we have put forward, is the Ontario Grape Growers Marketing Board. They certainly understand the very difficult situation we are in and how this government is attempting to work in support of the grape and wine industries to make sure that there is a wine industry in the province in the years to come.

Mr. Swart: My supplementary too relates to the fact that the first move this government makes with regard to the grape-growing industry is to reduce the guaranteed purchase from something like 36,000 to 25,000 tons.

Yesterday in his statement, the minister made a major issue of the fact that Ontario's grape-growing acreage must be converted from the labrusca grapes to the high-quality hybrids and viniferas and that this would make our grape growers more competitive.

I want to ask the minister: If he has any sincerity in helping the grape growers in the Niagara Peninsula, why would he or the Minister of Agriculture and Food (Mr. Riddell) not have announced at the same time an assistance program, which at one time we had in place, for the conversion of the labruscas to the hybrids and the viniferas?

Hon. Mr. Wrye: This industry is, as many industries are, taking care of putting in the vines for the new kinds of grapes which are in increasing demand. This has been the situation over the last decade and will be in the decade to come.

That process is an ongoing one which has seen this province, down in my friend's end of the province in the Niagara region and in my own region of Essex county, switch from basically labrusca-growing regions to increasingly labrusca and hybrid-growing regions. That process will continue, and we are obviously hopeful that in the years to come, the consumers in Ontario will come to realize the very high quality of the Ontario product, and that the current 42 per cent or 43 per cent market share that Ontario enjoys

will increase quite significantly and dramatically. Thus, the kind of employment and strength the industry has will continue to grow.

ELECTRICAL POWER

Mr. Brandt: My question is to the Minister of Energy and relates to the most recent position taken by the government with respect to energy sales to the United States. I wonder if the minister can confirm if, prior to the signing of the free trade agreement, there was in fact in place a bilateral free market agreement between Canada and the United States as it relates to natural gas and electricity.

Hon. Mr. Wong: There has not previously been a free market situation in the trade of natural gas or electricity between Canada and the United States.

Mr. Brandt: The minister may be inadvertently missing the kind of trade we had with the United States in connection with those particular commodities. I would like to remind him that at the moment, the National Energy Board has to review and approve all exports of electricity and natural gas, ensuring first that there is enough energy for domestic supply in Ontario and Canada, and second that the export price is not less than the domestic price for equivalent service. The role of the National Energy Board is in no way hindered under the terms of the free trade agreement. They would continue to carry out their responsibilities in quite the same way as they are doing at the moment.

Will the minister confirm that the National Energy Board will in fact continue to have responsibilities even if the free trade agreement were to go through in its present form?

Hon. Mr. Wong: The National Energy Board certainly would have responsibility. I cannot speak for them because this is a federal matter. However, I would like to clarify for the honourable member that the NEB and the federal government have been moving towards deregulation, which would mean that the energy security of Ontarians, the largest consuming province of the country, would be in greater jeopardy.

Mr. Brandt: If the minister's government and his Premier (Mr. Peterson) are so concerned about blackouts and energy shortages—of course, overlooking the fact that in a bilateral agreement we have with the United States there is a certain sharing that goes both ways from the United States to Canada and also from Canada to the United States—and if they have such intense

feelings with respect to the free trade agreement, why are they not taking the logical step?

I want to add that our party does not agree with the position they are taking relative to free trade and I want to make that clear, but if they feel so strongly about it, why are they not challenging the agreement in court rather than going around with these limited little thrusts of anger with respect to certain parts of the deal that they take exception to?

Mr. Speaker: Order. The minister.

Mr. Brandt: On one hand, it is energy; on the other hand, it is health services and so forth.

Hon. Mr. Wong: It is not possible to challenge in court because the legislation has not yet been passed. We are not only talking about the free trade agreement, which has to be ratified by both countries, but we are also referring to the implementing legislation that would be necessary.

Mr. Brandt: For the first of my second series of questions, Mr. Speaker, I wonder if the minister could clarify the position now being taken by his government. What intentions he has with respect to export agreements of energy to the United States relative to the new position he is taking in Ontario's stance with respect to the free trade agreement.

Hon. Mr. Wong: The new position, as I think was enunciated clearly yesterday, ensures that any electricity that is exported by Ontario Hydro to the United States will be surplus to the needs of Ontario and Ontario Hydro's customers within Canada and, second, that the price to the export market will be higher than that charged for an equivalent service here in Ontario.

1430

Mr. Brandt: The minister already knows, with respect to the export of power, it can be only surplus power, power that is redundant to our requirements, to our needs here in Ontario. Does the minister accept the position that, as a direct result of exports of energy sales to the United States, the cost of electricity in this province is close to five per cent—I believe some 4.5 per cent—less than would be the case without those export sales. These assist in the competitive position of this province vis-à-vis our sales of exports to various parts of the world, particularly to the United States—so that prices are reduced to consumers in this province as well as to industries? Is the minister prepared to jeopardize the advantage we have built into our present relationship with the United States?

Hon. Mr. Wong: To get the facts straight, Ontario Hydro generates electricity predominantly for domestic consumption. Electricity is an indigenous resource of Ontario; it is an essential service. From time to time, we export marginal amounts to neighbouring provinces or to the United States, and from time to time we import electricity and power into Ontario.

Mr. Brandt: My question was not answered, but I would like to remind the minister that there is in place at the moment a North American grid, and that North American grid effectively puts in place a sharing of power throughout Canada with various provinces, primarily Manitoba and Quebec in our case, and also with various bordering states in the US.

I would like to remind the minister that in 1985 we were in the difficult position, as a result of a tornado that struck this province at that time, of having to import energy by purchasing electricity and power from the United States, in order to stop blackouts or brownouts from occurring in this province.

What I would like to know from the minister is, as a result of his new position, as a result of his concern about the free trade agreement, what direction is he giving to Ontario Hydro with respect to its future export policy as it relates to the sales of energy to the United States?

Mr. Speaker: Order.

Mr. Brandt: If he is changing it, let him tell us why, because in 1990 those agreements all come up for renewal.

Hon. Mr. Wong: The direction that we are giving as a government to Ontario Hydro starts with priority. The needs of Ontario individuals, consumers and businesses come first. First, the lights will not go out in Ontario. Second, there should be a surplus. Third, as I mentioned, the price will be higher on the export market.

LEGISLATIVE BUILDING CLEANERS

Mr. B. Rae: In the absence of the Premier (Mr. Peterson) and the Chairman of the Management Board of Cabinet (Mr. Elston), I have a question, of the Minister of Government Services. It has to do with the cleaners who work in this building. Maybe he is not aware that there has been a very substantial increase in the past number of years in the number of workers in this building who are contract workers, not full-time employees.

Almost a third of the people who work in this building now work on contract, which appears to be the result of deliberate government policy not to hire new employees, but instead to hire people

on contract. The first question I have for the minister is, can he explain why many of the contract cleaners working in this building, many of whom are women and many of whom are new Canadians, have received notice that their contracts will not be renewed at the end of August of this year? Can the minister explain why that would have happened?

Hon. Mr. Patten: No. I will have to get back to the Leader of the Opposition on that issue. I am not aware of this event and I am not sure that the Ministry of Government Services is responsible for it.

Mr. B. Rae: I want to assure the minister, first of all, that it is the case that later on this year the cleaners will be transferred to the Legislative Assembly. Right now, they are covered under the Ministry of Government Services, which is one of the problems we have.

When he is giving me an answer to that question, I wonder whether the minister will also be able to tell me, by way of supplementary, what will happen to those workers when they become employees of the Legislative Assembly rather than employees of MGS. One of the problems is that the Legislative Assembly workers, generally speaking, have not had the same kind of protection under our laws in terms of crown employees and many other issues, in terms of their bargaining rights and their seniority and their security, as people who have been working elsewhere.

In addition to the contracting-out question, I would like to ask the minister if he could please tell us what is going to happen to these workers when they become employees of the Legislative Assembly.

Hon. Mr. Patten: In our discussions related to our memorandum of understanding, which transfers the responsibility of a good number of functions from the MGS to the Speaker's office, all commitments to present employees that exist by way of our understanding with the MGS will be retained and will be maintained by the Legislative Assembly.

SOCIAL ASSISTANCE REVIEW BOARD

Mrs. Cunningham: My question is for the Minister of Community and Social Services. We are aware that there is a tremendous backlog of decisions to be announced by the Social Assistance Review Board and that distraught families have advised us they are waiting six weeks, and some from three to six months, for decisions.

The minister and I both know that the regulations, subsection 2(1) under the act,

require that the Social Assistance Review Board issue its decisions within 40 days following the notice of the hearing. Justice delayed is justice denied to Ontario's poor and disabled. How many cases concerning these special families are taking more than 40 days to decide?

Hon. Mr. Sweeney: The honourable member will be aware that last fall the operation of the board changed considerably with a new chairman and with many new members. The intent at that time was to have 10 to 12 full-time members and as many as 20 part-time members. An attempt has been made to make that work and it has not, quite frankly, been successful, as the member's question clearly indicates.

A decision was made by cabinet just last week that all the members of the board are now going to be full-time. There will be a total of 21 full-time members. Our sense from the acting chairman of the board is that the board will be able to pick up that backlog much more quickly than it has in the past. It is not acceptable, as the member's numbers clearly indicate, and we are hoping that over a relatively short period of time we will be able to pick up that backlog.

Mrs. Cunningham: We are grateful for the minister's answer and hope that we over here can help him just a little. I think the minister has a number of big government issues with that board, and now he has increased his full-time membership, he suggests, to 21 today. The people of Ontario are aware that those people are earning \$55,000 to \$60,000 a year to do that job. By the way, the part-time people are earning something like \$175 per day. All the members, it is my understanding, are being asked to preside over these cases.

The minister not only has increased the money to the board members—and remember the person we are trying to serve is the little guy who is waiting to hear the results of this board's decision—but he has also increased his legal staff from one lawyer working on a per diem basis to sometimes two or three working full-time.

Mr. Speaker: Do you have a question?

Mrs. Cunningham: My point is and my question is, with all the high-priced help, what is the minister going to do, given all this information he has given to me and I have given to him—

Mr. Speaker: Minister.

Mrs. Cunningham: —for the little guy within the next month to solve the problems?

Mr. Speaker: Order.

Hon. R. F. Nixon: That question was great.

Hon. Mr. Bradley: Since when has the Conservative Party been concerned about the little guy?

Mrs. Cunningham: For a long time.

Hon. Mr. Bradley: Since when?

Mr. Jackson: We appointed Larry Grossman, didn't we?

Mr. Speaker: Order. If the members wish to waste their time—

Mr. Brandt: There are a lot of short people who belong to our party. We've got Norm Sterling—

Mr. Speaker: It might be of assistance to the member for London North and to all members, in case they do not understand, that when the word "order" is used, it means "Please be silent."

Hon. Mr. Sweeney: The honourable member will be aware that one of the main reasons the composition and structure of the board were changed was because of rather intense criticism from recipients on the basis of the former structure.

The member is right that we have added additional legal advice to the board. We have also added support staff to the board. The main reason for that is so that the board members themselves, who actually conduct the hearings, will have the necessary resources to write their own findings. The member may not be aware that previously it was the staff of the board who actually wrote the findings. She will probably be aware that a very large number of those findings were appealed to the courts, for example.

We are on the way to reducing the number of those appeals. It has not happened yet, but we are on the way to doing it. The reason for that is that we have additional legal advice available directly to the board members themselves. We have additional support staff available to the members of the board directly. They are making better decisions, and it just takes time to turn that big ship around.

CHELATION THERAPY

Mr. Cleary: I have a question for the Minister of Health. A number of my constituents have become dependent on chelation therapy. Can the minister indicate on what basis she has made the decision to ban chelation therapy?

Hon. Mrs. Caplan: The primary responsibility for the standards of practice of the medical profession rests with the College of Physicians and Surgeons of Ontario. The college was presented with evidence that this therapy was

ineffective and could cause serious harm. The college's position was widely publicized, and it is my understanding that there was an opportunity for public debate.

After reviewing the evidence presented, the amendments were passed and approved. This allows the college to take disciplinary action against any physician who fails to follow the ban on chelation therapy.

Mr. Cleary: Is there any possibility that the minister will reconsider her decision?

Hon. Mrs. Caplan: for the question. I know of the member's interest in this matter. It is my understanding that two Ontario residents have taken this matter to the Ombudsman. I feel it would be inappropriate to comment until the Ombudsman has an opportunity to complete his review.

FUNDING OF EMPLOYABILITY PROGRAMS

Mr. Allen: I have a question of the Minister of Community and Social Services. The Liberal government is not pulling its fair share in the cost-sharing programs it announced last year with the federal government to help get people off welfare and into a working life.

The costs that the minister accepted at that time for the province, such as day care and transportation, etc., are being shuffled on to the municipalities, on the one hand, resulting in unequal support for those on the program, while on the other hand, agencies such as the Working Skills Centre, find that they get \$1.2 million from Ottawa, \$15,000 from this government, but surprise, surprise, nothing from the Ministry of Community and Social Services. It all comes from the Ministry of Citizenship.

Is it not curious that under the minister's 50-50 sharing program, the agency would end up with \$1.2 million from Ottawa, nothing from the Ministry of Community and Social Services and \$15,000 from the Ministry of Citizenship for newcomer classes?

Hon. Mr. Sweeney: The honourable member is well aware of the fact that there is a range of support programs, some that are paid predominantly by the federal government, some predominantly by the provincial government and some are a 50-50 sharing.

To the best of my knowledge, the program the member is referring to is the joint federal-provincial employability program. The two levels of government over a two-year period are putting \$50 million each into this program for a total of \$100 million. The way in which that

money is allocated to a number of programs differs, depending upon the demand of the program. In some cases, there is more provincial money; in some cases, there is more federal money. I am sure if the member were to examine the whole range of programs, he would see that, but the total bottom line for both sharing sides is \$50 million each.

Mr. Allen: It is amazing how agencies begin to fall between the cracks on this funding runaround the minister just described. For example, everything is not hunky-dory in employability land. The municipalities are angry that the minister goes into agreements with the federal government without consulting them and then they end up paying costs they had not anticipated.

The result is resistance at the municipality end, and benefits which should be going to people in these programs are not paid or are paid differently in different communities. The minister today told us that people in similar circumstances are receiving benefits which are not the same. Obviously, he should be correcting it. That is his own statement.

On the other hand, the agencies are angry because in their training programs they have to fight on a case-by-case basis for benefits when the municipalities function differently.

Why is the minister letting the employability programs, with the diversity he has, none the less, get out of control and create a nightmare for people out there, to the point where, for example, the Riverdale Community Health Centre simply finally closed down its training programs and sent the federal money back?

Hon. Mr. Sweeney: Again, I remind the honourable member that this is a two-year program. It was agreed to by both levels of government in an attempt to divert both federal and provincial dollars which otherwise would have gone into family benefits payments or general welfare payments. There was no intent that the cost-sharing mechanisms already in place would change significantly; as a matter of fact, Ontario is putting a little extra money into this.

From the federal government level, it is a diversion from unemployment insurance payments and National Health and Welfare payments. It is a combination of those two from the federal government.

At the provincial level, as the member obviously knows, if it is a family benefits recipient, the provincial government is totally responsible. That represents about 170,000

people in this province. If it is a general welfare recipient, there is an 80-20 per cent split between the provincial government and the municipality. That stays the same. This program does not change that kind of funding mechanism.

I would indicate to the honourable member that before the program was introduced in any of these areas, there was consultation with the local municipalities. Asked if they wanted to participate in this program—to the best of my knowledge it was not forced upon anyone—they volunteered to participate. They knew ahead of time that the cost-sharing would be the same as the existing welfare payments.

SEWAGE DUMP SITE

Mr. Sterling: I have a question of the Minister of the Environment. I want to apprise the minister of a situation in the community of Kinburn in west Carleton in the regional municipality of Ottawa-Carleton. I am sure he is aware of his ministry's class 7 certificate of approval issued for septage disposal sites. Such a certificate allows for the disposal of untreated human waste.

An individual applied for and received such a licence in Kinburn, or near Kinburn, at a cost of \$36.05. For this fee, he will be permitted to dispose of this waste over an area of 12 acres.

The problem arises with the process or the lack of process. There is no public meeting required before this licence is issued. There is no public input received before this licence is issued. Adjacent land owners are not notified and there is no establishment of responsibility.

Mr. Speaker: Have you a question?

Mr. Sterling: Does the minister not feel he should withdraw the certificate because of the lack of process?

Hon. Mr. Bradley: If the people have followed all of the necessary processes which are there in conjunction with the Environmental Protection Act and the Environmental Assessment Act and so on, it is difficult, if the rules which are in place have been adhered to, to withdraw from those, but I will be happy to look further into this. I notice I had some notes coming in today about this matter. I think it is of some considerable importance to the people in the area.

1450

I agree with the member that it is always desirable to have that kind of input. There have been consultations, I am informed, with the medical officer of health and there have been

some concerns that have been expressed by a number of people.

I would certainly be prepared to look further at this matter that the member has raised to see if there is a satisfactory resolution of it, satisfactory to the people who have drawn this to his attention and to all concerned.

Mr. Sterling: I do not think the minister understands the gravity of this situation and the situation which is in place in a thousand other instances in this province. A class 7 certificate is issued by his ministry without any formal hearing. When you compare this to a situation where a person in the city of Toronto would apply for a minor variance to build his garage one foot closer to his lot line and is granted a process where he has a public hearing, a chance for input, one can see a tremendous inequity in terms of how these two kinds of individuals in our province are treated.

Due to the fact that the Ottawa-Carleton Regional Health Unit, headed up by Dr. Corber, is not in favour of septage dump sites within the Ottawa-Carleton area because they have the potential to create a public health hazard and recommends that all domestic septage be disposed of through the region's Green Creek pollution control centre, will the minister not take some action now, on the basis of his letter, which is within the ministry, and withdraw this certificate?

Hon. Mr. Bradley: We always take into consideration the viewpoints expressed, particularly by people such as the medical officer of health, and I am aware from the information that has been provided to me that indeed that opposition is there. It will of course be given the greatest consideration, because when we are approving any particular initiative that deals with waste disposal of any kind, be it human waste or other waste, that we call solid waste problems, we are of the opinion that there should be that kind of input from those authorities. I am certainly prepared to look very carefully at that.

I know that the operation is not occurring now, as the farmer certainly has not started up at this point in time, and I know that my own officials, as the member aptly points out, have been in discussion with the local authorities in this regard. I give a lot of weight, frankly, to the opinions of a medical officer of health in cases of this kind. I can assure the member that the considerable information which is provided by the medical officer of health and by others in the area will be taken into consideration before a final decision is rendered.

RENT REGULATION

Mr. South: To the Minister of Housing: Is the minister aware that in Metropolitan Toronto the percentage of tenants who now pay less than 20 per cent—and I repeat, pay less than 20 per cent—of their income for rent is 48 per cent? In 1986, this percentage was 23 per cent of tenants. In other words, the wealthy are profiting more and more from rent controls, to the detriment of the needy.

Hon. Ms. Hošek: I have heard a variety of statistics indicating that there are renters in this province who have considerable incomes and are none the less protected by rent review; but rent review's primary purpose is to make sure that tenants in this province are protected from unjustified rent increases and that there is a reasonable process for the landlord to take in order to recognize his expenses. I believe it is extremely important for tenants, in particular tenants on fixed incomes, to have the kind of certainty that a rent review legislation gives them.

Mr. South: Is it not time to now consider a direct subsidy or grant to the needy, rather than the present shotgun approach, whereby we tax the property owners of the province to the benefit of the wealthy and decreasingly to the benefit of the needy?

Hon. Ms. Hošek: I have, of course, heard the suggestion about direct support for tenants who are in need of help and support. This is one approach to take. The Social Assistance Review Committee is going to be addressing the whole question of housing needs for people who are living on very low incomes, and I am assuming that a discussion about the whole question of shelter subsidies will arise out of the report, which will be coming forward in September.

MINING SAFETY

Mr. Wildman: I have a question about a very serious matter related to mining health and safety. Is the Minister of Labour aware that the Muscocho Explorations company in a period of seven days, June 15 to 22, has had three very serious accidents? On June 15, at the Magino mine property, Richard Kiddle died; on June 18, at that same property, Wifred St. Pierre was buried to his neck and just narrowly escaped death, and on June 22, at the Magnacon property, Tom Legrow was killed.

If the minister is aware of this serious situation, can he confirm that at these mine sites the joint health and safety committees are

operative and can he tell us what is happening with regard to his investigation of these very serious mine accidents?

Hon. Mr. Sorbara: I want to agree in the strongest terms with my friend the member for Algoma that these are very serious accidents and warrant the most exhaustive and extensive of investigations. I could not tell him now of the details of those investigations, because they are ongoing, but I certainly will provide him with whatever information it is appropriate to provide to him when those investigations are complete.

As to the effective operation of the joint health and safety committee within that company, I am really not prepared to comment on it; but as part of the investigation, I would anticipate that my ministry officials will be looking at whether or not that safety committee is, in reality, doing the job it is mandated and required to do.

Mr. Wildman: I am sure the minister agrees this is a very serious situation. Would he, in response to that and in response to the information he receives from his investigators, consider very carefully changing the legislation to make worker-inspectors in mines mandatory and to give the workers the right to shut down unsafe conditions so that we do not have the continuing number of deaths we have in Ontario mines, which we have all been trying to do something about and we have to do something about as soon as possible?

Hon. Mr. Sorbara: I know my friend the member for Algoma is a member of the standing committee of this House that I understand will shortly be presenting its report on mining safety. I look forward to that report and I am wondering aloud whether that report will contain some recommendations on worker-inspectors.

I should tell my friend, or other members of this House because I think my friend the member for Algoma knows, that in many cases in the mining industry there are workers who are full-time inspectors within the workplace. It is our experience that, in many instances, the role of the worker-inspector has proved to be very effective. There are other instances where that role has not been effective. It seems to us that where the worker-inspector is working in co-operation with the joint health and safety committee, real improvements are made in mining safety.

I simply tell my friend the member for Algoma that I know of the strength with which he believes in his view of how these things should be dealt with. I tell him that I look forward to the report of the committee, which did exhaustive work, and

we will take those recommendations very seriously when they are presented to this House.

TOURISM INDUSTRY

Mr. McLean: My question is for the Minister of Tourism and Recreation. I have a copy of a brochure which is published by Gray Line of Niagara Falls for Americans who are considering vacationing in Ontario. This brochure points out, and I quote, "Prices are generally much higher in Niagara Falls, Ontario, than prices in Niagara Falls, New York."

Those prices are for gasoline, accommodations, food, cigarettes, etc. This brochure was printed before the government's massive tax grab. Does the minister still not realize that his government's budget is killing the Ontario tourism industry because potential visitors from the United States are being encouraged to spend their money at home rather than to vacation in Ontario because of the sales tax and the gasoline tax?

1500

Hon. Mr. O'Neil: I hope the member does not go along with that, because he should realize that one of the greatest buys in all the world is the tourism buy in Ontario. I spent last Friday in Niagara Falls, and I can tell him that from the attractions, to the hotels, to the motels, to all the other great things it has to offer, Niagara Falls continues to be one of the great attractions of the world.

Mr. McLean: I do not think that was the question. The fact is that this brochure is telling it the way it is. I want to know what the minister intends to do to help tourism for Ontario's ski resort industry. In the communities in which it operates, there are about 6,500 persons involved. There is \$25 million in income, and the economic benefits will be lost because of the government's change in the school break week.

Is the minister aware of that? If he is, what is he going to do about the loss of income for these resorts during the school break?

Hon. Mr. O'Neil: I thank the member for that point, because some of the people in the ski resort business have written to me about it, and we plan to be in touch with the staff of the Ministry of Education to see if something can be done about it.

I agree with the member that the ski resorts are very important to the economy and the tourism business in Ontario, and we will continue to work with him to do what we can to assist that great segment of our tourism industry.

RETIREMENT COMMUNITIES

Mr. Owen: I would like to bring to the attention of the Minister of Revenue what I understand to be a discrepancy in assessment practices, where those doing the assessments do a comparative valuation between retirement homes in retirement communities and homes outside of those communities.

The people living in the retirement communities feel that this is most unfair since, for example, their resale market is not comparable, their homes are much smaller, their lifestyles are different, occupancy is limited to two adults as opposed to homes outside and hard services are not available in the retirement communities. It is like comparing apples and oranges.

Because of this apparent discrepancy, would the minister look into this problem and possibly try to resolve it so that comparisons can be made within retirement communities, and comparisons outside will remain outside the retirement communities?

Hon. Mr. Grandmaitre: The member for Simcoe Centre has raised a very important question concerning property assessment and taxation in Ontario, namely, the market value. The Assessment Act defines market value as the amount a property might be expected to realize if sold on the open market by a willing seller to a willing buyer.

I would like to remind the honourable member that homes located in retirement communities, as far as I know, are assessed in the same manner. In other words, all amenities and drawbacks associated with that purchase are taken into consideration.

I would also like to remind the member that our assessment program in Ontario is a very successful one. Out of 839 municipalities, 76 per cent are under section 63 or section 70 of the Assessment Act. I think it is a great success, but I am willing to take a second look at retirement homes and I will provide him with a more complete answer.

Mr. Owen: It has been suggested to me that possibly an amendment would have to be made to the legislation, but what I ask the minister to do is to consider that really what I am talking about is common sense rather than legislation, and it is with common sense that I think he should treat the—

Hon. Mr. Scott: Just a minute.

Mr. Jackson: You're going to love minority government. He'd love minority government.

Interjections.

Mr. Speaker: Order.

Mr. Owen: Possibly the ministry could look into the situation to see if the workers in this field could simply limit themselves to comparing values within retirement communities and keeping the other type of values outside and away from this situation. I ask the minister if he will at least consider looking at the practicality rather than making major changes in the legislation.

Hon. Mr. Grandmaitre: The member for Simcoe Centre makes a whole lot of sense. If he is looking for good legislation, good regulations and a reasonable government, he is looking at the right side of this House. Seriously, I am willing to take a second look at it and provide him with a more complete answer. I am sure the common sense of this government will come out with commonsense legislation.

TOURISM IN NORTHERN ONTARIO

Mr. Hampton: My question is to the Minister of Tourism and Recreation. Two weeks ago, I brought to the attention of the House a map and an advertisement that appeared in several mid-western American city newspapers advertising tourism in northwestern Ontario. In fact, when you look at the map, it is perhaps the most misleading map you could ever want to see in terms of tourism in northwestern Ontario. It leaves out many of the highways and many of the communities. It leaves out Quetico Provincial Park. It would give someone the impression that the only places worth visiting in northwestern Ontario are Fort Frances, Kenora and Red Lake.

Can the minister guarantee this House that these kinds of ads will be changed and will be replaced by ads that advertise the real tourist attractions in northwestern Ontario in many of the communities that now rely on tourism?

Hon. Mr. O'Neil: I thank the member for his question. The member brought this to my attention a couple of weeks ago in a letter. I agree with him and I am not happy with the ads that have been produced. Although they are intended to draw attention to a certain area and then hopefully have the people call to get additional information and maps on that area, I do not believe maps do the job when they leave out communities like that. I have run into it in other areas. I have asked the ministry to examine the whole area, and we hope to take corrective action on it.

Mr. Hampton: I appreciate the minister's concern and I appreciate his offer to have the

situation reviewed. Is the minister aware, for example, that this map does not show Quetico Provincial Park? It does not show the community of Atikokan, a community that has approximately a 25 per cent unemployment rate and has been told by this government to rely on tourism. Is the minister aware that communities like this have been left off?

Meanwhile, Quetico Provincial Park, a park we pay a great deal of money for, is used every day by entrants from the United States. Is the minister aware of that and can the minister also take that into consideration when dealing with this problem?

Hon. Mr. O'Neil: I will take that into consideration when we are looking at this problem, and hopefully we will make the correction.

Mr. Speaker: New question, the member for Durham East.

Hon. Mr. Scott: Three more minutes, guys.

Interjections.

Mr. Cureatz: I say to the Attorney General (Mr. Scott) that we will make sure we use the three minutes.

LANDFILL SITES

Mr. Cureatz: I have a question to the Minister of Municipal Affairs. It is a nice, easy question. It is so easy even a Liberal back-bencher would be able to answer it, except for Ballinger and baloney, and the Attorney General (Mr. Scott) might have trouble with this question. Is the minister aware, as was confirmed by the Minister of the Environment (Mr. Bradley), that a municipality can expropriate property in another municipality's jurisdiction?

Hon. Mr. Eakins: It is my understanding that municipalities can only expropriate in their own jurisdiction.

1510

Mr. Cureatz: I would ask that the minister confer with his colleague the Minister of the Environment, who has indicated to me that Metro Toronto can expropriate property in my riding in the town of Newcastle, where it is looking for three possible dump sites. In response to my supplementary, after the minister has discussed this issue with the Minister of the Environment so he can get his act together, will the minister confirm to this House tomorrow that if a municipality has the power to expropriate, as the Minister of the Environment told me, he will consider amending the legislation so that Metro Toronto, for instance, cannot expropriate proper-

ty in the town of Newcastle, so we do not have the garbage crisis and the fear which is taking place in the Golden Horseshoe because we do not have any leadership from the Minister of the Environment?

Hon. Mr. Eakins: I am not aware of the particular circumstance the member has brought to my attention. We will certainly look into it. If there is any disagreement among municipalities, there is a course of action which they can take.

GASOLINE PRICES

Mr. Neumann: My question is for the Minister of Energy and it relates to the price of gasoline and the fluctuation in prices for gasoline. Recently, citizens in my community have brought to my attention that some strange mysterious force seems to raise the price of gasoline from 42 cents a litre to 49 cents a litre and all the others go along with it. Is this the invisible hand of the marketplace or is something else at work here?

Hon. Mr. Wong: My ministry is aware of this situation in Brantford. The pricing situation appears to be the result of competitive market forces, such as market size, the number of marketers, especially the number of independents, the nature of the traffic and consumer behaviour. It would appear that in the summer months with the influx of tourists into the member's fine community that the retailers take advantage to raise their prices.

Mr. Neumann: I take the minister's answer, but I wonder if he could do a more thorough investigation. It seems rather odd that when one gasoline station puts its prices up by eight cents or nine cents a litre, all of a sudden all of the others follow suit. On the surface, it does not seem to me to be a market situation. A lot of consumers have questions on this.

Hon. Mr. Wong: It would appear that the honourable member's question might be more appropriately directed towards the Minister of Consumer and Commercial Relations (Mr. Wrye). However, I can assure the honourable member that our ministry will continue to monitor gas prices closely, as we do across Ontario.

PETITIONS

CHILD CARE

Ms. Poole: I have a petition to the Honourable Lieutenant Governor and the Legislative Assembly of Ontario signed by a large number of

parents concerned about day care. It reads as follows.

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"As members of the community and parents of children attending the Fairbank Memorial Day-care Centre in the city of York, we urge the government to restrict funding to those day care centres that have parent representation. We request that legislation also be established to ensure that parent advisory boards are active participants in decision-making and through that participation are able to reflect the particular needs and interests of their communities."

As required by standing orders, I have signed the petition.

CAMBRIDGE MEMORIAL HOSPITAL

Mr. Farnan: I have a petition from Cambridge, which I did request the Minister of Health (Mrs. Caplan) might be here to receive. I would like to present this petition.

This petition concerns the Cambridge Memorial Hospital and it is signed by over 12,000 residents of Cambridge who are requesting the ministry to work co-operatively with the board. I read the petition as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas we believe Cambridge Memorial Hospital is doing an admirable and efficient job of serving the people of Cambridge, we fully support the board of directors and administrators of the hospital and believe they should be given adequate funding to maintain the high level of service without government interference."

CONTROL OF SMOKING

Mr. McLean: I have a petition signed by 85 people at the Oak Ridge division of the Penetanguishene Mental Health Centre, addressed to the Honourable the Lieutenant Governor and the Minister of Health and the Legislative Assembly of Ontario, indicating discontent with a recent smoking policy implemented by this facility. It reads as follows:

"Whereas Oak Ridge patients are hospitalized for a period of years and consider this facility to be their home; and

"Whereas these patients cannot leave the facility to smoke; and

"Whereas the existing smoking area is overcrowded and has poor ventilation, which creates an unhealthy atmosphere; and

"Whereas patients are locked in wards for long periods of time and have no access to smoking areas;

"We, the undersigned, ask that the Minister of Health allow patients to smoke in the privacy of their own rooms."

That is signed by myself.

MUNICIPAL ZONING BYLAWS

Mr. McGuinty: I have a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario with 10 signatures, none of whom is a member of my family, with the possible exception of the person who signed with an X. It could be my youngest son, who just spent the happiest three years of his life in grade 8. It reads as follows:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas municipalities in Ontario are passing restrictive bylaws that discriminate against unrelated students who live together; and

"Whereas students of Carleton University in the constituency of Ottawa South are concerned that the same might happen to them;

"We, the undersigned, petition members of the Legislature of Ontario to expedite legislation to ban municipalities from enacting restrictive and discriminating bylaws that adversely affect the ability of students to find affordable housing."

RETAIL STORE HOURS

Mr. Keyes: I have a petition addressed to the Lieutenant Governor of Ontario and the Legislative Assembly of Ontario by customers of the Canadian Tire store in the city of Kingston as follows:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"We are opposed to open Sunday shopping and want to retain a common pause day in Ontario."

Approximately 65 customers signed the petition.

SAULT STE. MARIE JAIL

Mr. Morin-Strom: I have over 100 petitions here signed by Sault Ste. Marie residents who are concerned about working conditions that correctional officers at the Sault Ste. Marie Jail suffer under. The petition reads as follows:

"To the Lieutenant Governor and the Legislative Assembly of Ontario, and in particular the Minister of Correctional Services:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"That the Minister of Correctional Services order a full judicial review, with subpoena power to end and expose the style of administration which has been in place for the last five years at the Sault Ste. Marie Jail.

TAX INCREASES

Mr. Wiseman: I have a petition here with 2,940 signatures on it. I will just read part of it. It reads, in part, as follows, and there seems to be a ground swell that is going all across Ontario:

"Bob Nixon, you've gone too far."

I have signed it, so that makes 2,941 signatures.

TEACHERS' SUPERANNUATION FUND

Mr. M. C. Ray: I have two petitions related to the same matter from members of the Superannuated Teachers of Ontario in Windsor and Essex county, petitioning the Ontario Legislature to amend the Teachers' Superannuation Act to provide that all teachers who retired prior to May 31, 1982, have their pensions recalculated on the basis of the best five years, rather than, as at present, the best seven or 10 years. This proposed amendment would make the five-year criteria applicable to all retired teachers and would eliminate the present inequitable treatment.

One petition is signed by 41 members and the other is signed by 52 members of the Superannuated Teachers of Ontario.

1520

Mr. Adams: I have a petition on the same topic from 111 individuals in the Peterborough area. They too are concerned about pensions for teachers who retired before 1982. This is the second of these petitions that I have presented. It is addressed:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario...to amend the Teachers' Superannuation Act, 1983, in order that all teachers who retired prior to May 31, 1982, have their pensions recalculated on the best five years, rather than as at present, the best seven or ten years.

"The proposed amendment would make the five-year criteria applicable to all retired teachers and would eliminate the present inequitable treatment."

INSTALLATIONS SCOLAIRES

M. Pouliot: J'ai une pétition qui se lit comme suit:

«À l'honorable lieutenant-gouverneur et à l'Assemblée législative de l'Ontario:

«Nous, les soussignés, sollicitons l'autorisation du parlement de l'Ontario et nous prenons quelques minutes de votre temps précieux pour vous laisser savoir que nous croyons que la décision prise par le Conseil scolaire des écoles séparées de la région du Supérieur-Nord, d'aller de l'avant avec le projet de transporter les élèves francophones de Nakina de la quatrième à la huitième année à l'école Saint-Joseph de Geraldton et ce pour l'année scolaire 1988-1989, n'a aucun bon sens. Donc, pour nous les parents de Nakina, il n'est pas question que nos enfants aillent à Geraldton pas plus cette année que l'an prochain. Nous vous demandons donc de nous donner la permission d'obtenir les programmes et le matériel nécessaires pour l'éducation de nos enfants. Nous verrons à ce qu'ils ou elles reçoivent l'instruction adéquate à la maison. Nous en avons déjà discuté avec la direction de l'école Sainte-Brigitte de Nakina et soeur Rolland est prête à acquiescer à notre demande avec votre approbation, bien sûr. »

TAX INCREASES

Mr. Pollock: I have a petition for the Lieutenant Governor in Council, signed by 3,206 persons from across Ontario, which reads in part as follows:

"Bob Nixon, you've gone too far."

I have affixed my signature to this petition.

TEACHERS' SUPERANNUATION FUND

Mr. Cleary: I have a petition signed by 26 individuals. It reads:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"To amend the Teachers' Superannuation Act, 1983, in order that all teachers who retired prior to January 31, 1982, have their pensions recalculated on the best five years rather than at the present seven or ten years.

"The proposed amendment would make the five-year criteria applicable to all retired teachers and would eliminate the present inequitable treatment."

I have signed the petition also.

COPY OF AMENDMENT

Mr. Pouliot: Point of order, Mr. Speaker, if I may.

Mr. Speaker: Point of order.

Mr. Pouliot: Yesterday, during the course of the debate relating to Bill 159, a member of our party referred to the Minister of Municipal Affairs (Mr. Eakins) as having omitted submitting to the critic of the official opposition a copy of subsection 3(2), which was a proposed amendment.

We have searched long and hard and we have come up with the proper copies. We would like to commend the ministry staff on its diligence in submitting this and we apologize for the mistake.

REPORT BY COMMITTEE

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Mr. McLean from the standing committee on government agencies presented the committee's Report on Agencies, Boards and Commissions, number 14, and moved the adoption of its recommendations.

Mr. Speaker: Does the member have a brief statement?

Mr. McLean: The standing orders permit the standing committee on government agencies to deal with the review of agencies, boards and commissions of the government of Ontario.

I have the pleasure today of tabling the committee's report, which represents the accumulation of the committee's work during 1987 and 1988, when the committee held public hearings and discussed issues of concern with the representatives of the Civil Service Commission, the Ontario Food Terminal Board, the Ontario Securities Commission and the Pension Commission of Ontario. The members developed a number of recommendations for each of the agencies. I would like briefly to highlight some of these.

The standing committee on government agencies concluded and recommended that the Management Board of Cabinet consider amending the Public Service Act and transferring all the duties and responsibilities of the Civil Service Commission to the human resources secretariat; that the Ministry of Financial Institutions ask the Provincial Auditor to undertake an efficiency audit with respect to the Ontario Securities Commission; and that the Pension Commission of Ontario undertake a review of the benefits guarantee pension fund to determine what role the fund should play in the future.

Furthermore, the committee believes strongly that the Ontario Food Terminal Board should commence negotiations with current leaseholders with a view to eliminating the perpetuity provision included in the original leases. The

committee recommended that the Ontario Food Terminal Board place a freeze on the assignment of leases and the subletting of leases and that subleases have first right of refusal when a lease is assigned.

During the committee's next set of hearings, which will commence in August 1988, it will review the St. Lawrence Parks Commission, the Advisory Council on Occupational Health and Occupational Safety, the Ontario French Language Services Commission and the Ontario Waste Management Corp. In addition, the committee will continue to monitor the Ontario Securities Commission and the Ontario Food Terminal Board, with the option of making subsequent recommendations.

I would like to take this opportunity to thank the various officials who have been most co-operative and also to acknowledge the support of the committee members and staff and their efforts on this report.

On motion by Mr. McLean, the debate was adjourned.

MOTION

STANDING ORDERS

Hon. Mr. Conway moved that the provisional standing orders be extended, to remain in effect until 12 midnight, Saturday, December 31, 1988.

Motion agreed to.

INTRODUCTION OF BILL

EDUCATION AMENDMENT ACT

Mr. Jackson moved first reading of Bill 173, An Act to amend the Education Act.

Motion agreed to.

Mr. Jackson: I have a brief explanation. As members may be aware, the Education Act currently requires that the minister give approval for the sale of surplus or redundant school board space, land or property. This private member's bill will ensure that boards give priority to persons intending to use the buildings or the property for the development of affordable housing. This bill is consistent with the government's own Housing First policy. Instead of using surplus school space to house more government bureaucrats, surplus school land could be used to provide affordable housing first.

ORDERS OF THE DAY

WITHDRAWAL OF BILL 154

Mr. Philip moved that the order for second reading of Bill 154, An Act to amend the

Assessment Act, be discharged and that the bill be withdrawn.

Motion agreed to.

House in committee of the whole.

1530

EDUCATION AMENDMENT ACT

Consideration of Bill 100, An Act to amend the Education Act.

Section 1:

Mr. Chairman: Mr. Sterling moves that section 1 of the bill be struck out and the following substituted therefor:

"1. Section 213 of the Education Act, being chapter 129 of the Revised Statutes of Ontario, 1980, is amended by adding thereto the following subsection:

"(14) This section does not apply on and after the first day of July 1988, up to and including the 30th day of June 1993."

You would want to specify that that subsection is numbered 14, correct?

Mr. Sterling: That is correct.

Mr. Chairman: Thank you.

Mr. Sterling: I would like to start off by offering a bit of background to indicate how we have come to the situation that we are now facing posed by Bill 100.

There are two sources of revenue for the school boards in our province. First, there is the contribution from the Ontario government, which has, incidentally, been steadily falling as a percentage of the total costs, despite the many promises of this Liberal government in the past election campaigns.

The majority of the school costs, however, are covered by the citizens of Ontario through their property taxes. When one school board includes several municipalities, it must be decided how each municipality should contribute in part to pay the total education costs.

The Ministry of Education establishes the formula that determines the amount for which each municipality is requisitioned by the school board. There may be some difference of opinion between the various contributing municipalities of the board as to their fair share. This is understandable, as the education portion of property taxes may represent as much as 60 per cent of the total property tax bill of an individual resident.

In the past, under section 213 and section 214 of the Education Act, a municipality could appeal to the school board if the municipality believed it had been treated unfairly. The board

would then ask its chief executive officer to call a meeting of the treasurers of the various local municipalities to arbitrate the dispute and thereby determine the proportion of amounts to be raised by each municipality. There can be no doubt that this group of arbitrators is not unbiased or independent, as each treasurer would lose for each one who might gain on the other hand.

Under the present system, if a municipality is unhappy with the decision of the arbitrators, it can further appeal to the Ontario Municipal Board, which is an independent, unbiased body, much like a court. As well, under the present law, a municipality can challenge on the ground that the formula has not been calculated correctly or that the wrong data have been used in making that calculation. More important, however, the municipality can also attack the fairness of the formula if it feels that the apportionment would impose an undue burden on the ratepayers of that municipality. Our party believes that this ground of appeal is essential in order to ensure that the government remain accountable when striking that formula. The finding of an undue burden is precisely what has occurred; it has led to the redrafting of the formula, and hence to Bill 100 which we are debating today.

During the 1970s, the formula, and the data used on the old formula, did not reflect economic changes which were occurring. Those were the words of the minister in February. In 1984 the township of Goulbourn initiated an appeal, which was joined by the city of Nepean and the township of Cumberland, to the arbitrators concerning requisitions made by the Carleton Board of Education. Having received no satisfaction, they appealed further to the Ontario Municipal Board, which concluded that something was wrong in the application of the formula used by the Ministry of Education. In essence, two residences of the same market value under the same school board were paying vastly different amounts in the education portion of their property taxes simply because they were located on different sides of the road in different municipalities.

For the information of this chamber, the Ontario Municipal Board awarded a total of \$4,428,000 to affected municipalities. The township of Goulbourn received \$759,000, Nepean received almost \$3.6 million and the township of Cumberland received \$97,000. When you look at the discrepancy between the two residences that were across the road from each other, it amounted to as much as \$500 per household in property taxes. Because of those

appeals by the township of Goulbourn and the township of Nepean, this province is now taking steps to resolve the problem. Our party acknowledges that a resolution to the problem is needed, but let me outline just what this government has done to correct the problem.

1. The Ministry of Education has created a new formula and is now plugging in better data, which are now available, to get a fair distribution of costs among municipalities with a common school board. Our party agrees with that step.

2. Recognizing that there are situations that are unfair to the property tax payers but that to make all corrections in one year would be too great a change for some of the taxpayers, the ministry wants to bring in the new system over a period of five years. Our party agrees with this step, but we would prefer that that commitment be contained in this legislation, rather than a mere promise by the Ministry of Education.

3. The government is taking away the right to appeal the fairness of the formula. It will be possible to appeal only on the correctness of the calculation or the data being fed into the formula. Our party strongly disagrees with this step. Furthermore, the government is withdrawing the right of the appeal to the Ontario Municipal Board from a ruling of the arbitrators or the treasurers of the municipalities. Bill 100 is, in itself, a testament to the necessity of maintaining section 213 of the Education Act.

We believe that a strong government should retain as many checks and balances as possible. We do not imply any ill intent on the ministry or its people with respect to fairness, but as the old formula became outmoded, so can this formula.

1540

I quote to the members the minister's own words used in this Legislature on February 11, 1988:

"The equalization factors used by the Ministry of Education to calculate apportionment and provincial grants do not reflect fairly the economic change that has occurred since 1970.

"This situation has been borne out in recent appeals by the city of Nepean and the township of Goulbourn to the Ontario Municipal Board."

In other words, the ministry has been called to account by the process contained in section 213 of the Education Act. The ministry's response is to do away with the process that made it change to a fairer system. I believe the right to appeal to the OMB or any other independent body for a fair decision is self-evident.

How can the treasurers of the participating municipalities be anything but biased in their

opinion and decision-making abilities? There is no protection in this process for the minority. Therefore, we are very strongly opposed to taking away these two rights. Our position is supported by the Association of Municipalities of Ontario, AMO, and by the Association of Large School Boards in Ontario on this issue. There are also a large number of municipalities that are in tune with our position.

Last on this point, the minister argues that with the new data there will never be a problem. Well, if that is the case, why be concerned about a right which will never be exercised?

In order to accommodate the situation, I have put forward today an amendment that, in effect, puts the right of appeal on fairness and the appeal to the OMB on the shelf for five years. This would allow the government of Ontario to achieve its goal of implementing a fairer system over the next five years, but we would retain two very valuable rights which taxpayers, through their municipal governments, now enjoy. Without this amendment, we believe the provincial government of the day will be less accountable, with a possibly unfair system of apportionment of school taxes creeping back into the system.

I want personally to congratulate Mayor Ben Franklin of the city of Nepean and Mayor Anton Wytenburg of the township of Goulbourn for their determination on this issue. Through their responsible actions, many taxpayers across this province will be treated more fairly. I only wish that such will be possible in the future.

Mr. Pouliot: It has been a rather long exercise with reference to the proposed amendments regarding Bill 100. We are familiar with the intent of the minister with Bill 100 to repeal section 213 of the current legislation, which allows a better degree of normalcy, especially for small municipalities that are involved in a sort of regional setup.

We have been after the minister for some time. He has quite a staff, but the more you correspond with this minister he is the first one to tell you: "You don't have to worry. Take my word for it." He says five years to a member of the third party. Then I have a letter from the minister dated June 15. It is the result of letters I have written. The last one was April 25. The minister chooses to respond two days before he tables legislation. He writes: "There has not been a decision as yet as to what the overall phase-in period will be. However, consideration will be given to the final impact on the municipalities which, in some instances, can be significant."

My friend the member of the third party says the minister has arrived at five years. I have a letter dated June 15, signed by "The Minister of Education, the Honourable Christopher Ward," saying, "I don't quite know." So unless there has been either a change of heart or a change of direction—what is the date today? June 28—in the last 13 days there seems to be some discrepancy which, of course, we will be asking the minister to address. What has happened is that, with the minister's intention to repeal section 213, the treasurers in the municipalities are not allowed to come close to a sort of fiscal justice.

If the bottom line is to remain the same, we have a system—for instance, under the Lake Superior Board of Education—which has worked relatively well, given the cumbersome nature of the entity we have been under up there. We have been promised the world, and I think the minister has made one trip. It is not so important as long as he has legislation—

Hon. Mr. Ward: No, Gilles it is you that is making all the promises.

Mr. Pouliot: It is no laughing matter; we fail to see any intent from the minister. Why does the minister choose, by virtue of the Nepean situation, to change the whole legislation? It would have been very simple to leave section 213 or to offer a mechanism whereby the treasurers of those municipalities under the auspices of the Lake Superior Board of Education—and the same situation is appearing in other municipalities—could do what they have been doing well, and then allow for a phase-in period which would discourage increases of some 40 per cent in some cases.

The minister is aware of that. In some cases the school taxes jump 40 per cent in one year. For every tax dollar you pay for municipal and school board purposes, more than 50 cents of the dollar is directed towards education. So the minister can well appreciate, if he is listening, that for people of moderate income, for workers—maybe in the old days he could relate to people of moderate means, ordinary people, who are faced with an increase of 40 per cent in one year.

The reason they are faced with an increase of such magnitude is simply that the Treasurer (Mr. R. F. Nixon) refuses to allow the mechanism that is presently in place to continue. It is really a legitimate request. If I may be bold, it scares the heck out of people. I know the words are strong, but it is really quite a dilemma, it is really quite a bill to face when you have such substantial increases.

There is still time to accept the amendment, and our party will be supporting the amendment put forth by the Progressive Conservative Party. We think it is a step in the right direction. It really has to stay to maintain a sort of sanity in small and remote municipalities especially, which come under a regional school board.

Mr. Daigeler: I would just like to say that I am rather surprised to hear the member for Carleton (Mr. Sterling) be so supportive of the new assessment formula. I remember rather well that, when the impact of this new formula was announced during the publication of the legislative grants for the school boards, I heard the member stand up in this House and be extremely critical of the allocations which were made, specifically to the Carleton Board of Education and the Ottawa Board of Education.

At that time, I can only assume for partisan reasons, he claimed discrimination, when now he is saying he agrees with Nepean and with this government that, in fact, it is time and it is fair to introduce a new formula which, however, has the effect of redistributing the legislative grants to the different school boards and globally increasing the tax burden for the Ottawa area and other large school boards in the province.

I would just like to say that I am rather surprised to hear this change in opinion from the member for Carleton.

1550

Mr. R. F. Johnston: I just want to make sure that on the record it is understood that what we are voting for, and in support of, is the motion from the member for Carleton, which basically says that we need an appeal mechanism and that we have a phase-in period here which is undefined or ill defined; sometimes it is said to be five years and other times it is said to be some time in the future. Until such time as the assessment process is really made equitable and this kind of appeal is not necessary, it is premature to withdraw that appeal mechanism. That is why we will be supporting the member for Carleton's amendment.

Mr. Sterling: I must respond to the member for Nepean (Mr. Daigeler). I do not think he perhaps understands what we are doing today in terms of allocations.

My concern over the treatment of the various municipalities which receive the butt end of the Ontario Municipal Board decision is the concern with this government seeking equity with those particular municipalities which had collected, according to due process of law, all of the taxes, which they were required to do. Those munici-

palities quite rightly felt that they should not be required to go back and collect taxes from now new residents for taxes that were required in 1984 and 1985.

I think the government came forward with the right solution. It is a solution which I asked for, which was that it make a grant to the municipalities—and I mentioned those in my speech—as to the amounts that were required to make it equitable for the city of Nepean and the township of Goulbourn.

I find it quite astonishing that the member for Nepean, where the city of Nepean benefited to the tune of \$3.7 million, would support his government taking away the right of appeal. If that right of appeal had not existed, the city of Nepean would be \$3.7 million lighter. Therefore, we have the member for Nepean supporting his government and taking away a right of appeal when his own constituents have benefited from section 213, the right of appeal to the OMB on the basis of undue burden. Therefore, I hope that the minister would accept this amendment as being reasonable.

Hon. Mr. Ward: I am very interested in the comments put forward by the member from Carleton as well as by the member for Lake Nipigon (Mr. Pouliot) and the member for Scarborough West (Mr. R. F. Johnston).

As I said at the outset and during the course of the second-reading debate, frankly, I think the introduction of Bill 100, coupled with the utilization of up-to-date equalization factors, is one of the most significant municipal financial reforms undertaken in many years.

If I could refresh the memories of members once more, I will point out that prior to the introduction of the new factors in this piece of legislation, the assessment data that were utilized by municipalities were some 19 years out of date. They were data produced and formulated at a time when each municipal jurisdiction had the authority and the responsibility to hire their own assessors. Consequently, the data that were being utilized by municipalities throughout this province contained enormous disparities and variances.

I will give one example. It is not something I want to do at length, but just looking at some board jurisdictions in northern Ontario, this is a specific board example where in one municipality in a board's jurisdiction the average household contribution of property taxes for education is \$84. For another municipality within the same board's jurisdiction, it is \$351. The whole point

is that there has been no fairness and no equity built within the system.

The Education Act made provision for a right of appeal on the basis of an undue burden or hardship solely because there was a wide variety of assessment data being used. We propose to utilize data currently available through the Ministry of Revenue to make the mathematical calculations that are required. The money that flows to school boards is provided on the basis of two calculations, one being grant and the second being apportionment.

The calculation of apportionment is on the basis of hard data. I do not think it is appropriate or prudent that we leave in place a piece of legislation that says an appeal can then be forthcoming on the basis of undue hardship or burden, because then in many instances it becomes a completely political exercise for a municipality to go to the Ontario Municipal Board, notwithstanding that its only basis is calculation of hard data.

Frankly, I do not think this is an area that the OMB has any responsibility or jurisdiction in. They can appeal an apportionment the same way that a lower-tier municipality within a county and region can appeal its apportionment, and that is the basis of the calculation itself. We are not prepared to accept the amendment. That is the first point I would like to make.

The second point I would like to make is that our phase-in was on the basis of a maximum five per cent impact, either on grant or apportionment. It is our hope that we phase these in over the course of five years, but there may be instances when it will require longer than five years, and therefore the amendment is not helpful in any way.

Mr. Sterling: We have been dealing with the minister on a number of bills, and we found him pretty well blind to any kind of logic which seems to prevail with everybody else. That blindness is extending to the tune of—

Interjection.

Mr. Sterling: I hope the minister would take this, and I hope we do not have to frame this for him in the near future. I hope the minister's constituents—

Interjection.

Mr. Sterling: What the minister is telling us is that there is no problem now; he has everything fixed up. The bottom line in the whole argument of this amendment is, if that is the case why is the minister afraid of retaining the right of appeal? The minister does not have an answer. I think the

municipalities have a real gripe here and a good gripe.

Mr. Pouliot: I find it ironic to accuse or point out to the minister, perhaps for the only time in his political life, that he is going too quickly. Let me quote from a letter I shared with the minister, which I wrote to him on April 25, first addressing the intent and then what he is doing by accident and refuses to recognize or, if he does, certainly to rectify:

"The intent of Bill 100 and regulation 162 is to revise the apportionment formulas in order to provide a more equitable distribution of school board costs among the municipalities. In theory, therefore, the arbitration and undue burden provision of the current legislation will no longer be required to protect the interests of the municipalities.

We are OK so far. "However, because your ministry is phasing in this equalization process over an undetermined period of time"—this is what we are saying, that it could be 75 years, as the distinguished member for Scarborough West has said; I am not catastrophizing, because the gentlemen said 75 years, and he is very factual—"apportionments may continue to impose an undue burden on the ratepayers of municipalities."

Nothing is changed, unless the minister allows the mechanism that is already in place a little more time to phase out. He is pulling the rug out from under our feet. In some municipalities in northwestern Ontario we are looking at increases in one year in excess of 30 per cent. It has already happened in one case, where we have an increase exceeding 40 per cent.

I find it somewhat appalling and shocking that in the face of this reason, the minister, with a stroke of the pen, does not say: "Yes, I will do what is right. I will correct what I have done, which is wrong."

1607

The committee divided on Mr. Sterling's amendment to section 1, which was negated on the following vote:

Ayes 23; nays 66.

Section 1 agreed to.

Sections 2 to 6, inclusive, agreed to.

Bill ordered to be reported.

On motion by Hon. Mr. Conway, the committee of the whole reported one bill without amendment.

1610

BUSINESS OF THE HOUSE

Hon. Mr. Conway: Just before I call the next order, I am going to beg the indulgence of the House to give an oral report. I will follow up with the required motion shortly when it is off the typewriter.

The House leaders have met again, and I would like to give the House a report on the progress of the business over the next little while.

We will now proceed with the adjourned debate on the motion for the adoption of the recommendations contained in the report on the Constitution Amendment, 1987, of the select committee on constitutional reform. That debate will begin now and continue uninterrupted until nine o'clock this evening, at which time the House will adjourn and reconvene tomorrow morning at 9 a.m. to continue the debate on the select committee's report.

That debate will conclude at 12 noon tomorrow, at which time, if necessary, a vote will be stacked. The House will then adjourn for an hour. It will reconvene at one o'clock for routine proceedings, following which we will proceed immediately to a debate on the question of government notice of motion 6. That debate will conclude with a vote on that matter, and if there is a stacked vote on the adoption of the select committee's report, those votes will take place at four o'clock tomorrow afternoon.

Following that, we will proceed with a debate concerning Bill 167, An Act to revise the Wine Content Act, and other matters before the House such as the interim supply motion and other business that will be announced more formally in a motion later this afternoon.

I just wanted to take the opportunity, with so many members here, to indicate that we will now sit through until nine o'clock tonight. The dining room will be open until 7:30 p.m.

REPORT,
SELECT COMMITTEE ON
CONSTITUTIONAL REFORM

RAPPORT,
COMITÉ SPÉCIAL DE LA
RÉFORME CONSTITUTIONNELLE

Resuming the adjourned debate on the motion for adoption of the recommendations contained in the report on the Constitution Amendment, 1987, of the select committee on constitutional reform.

Suite du débat ajourné sur la motion pour l'adoption des recommandations contenues dans le rapport de la Modification constitutionnelle de

1987 du Comité spécial de la réforme constitutionnelle.

Mr. Beer: As chairman of the select committee on constitutional reform, it was an honour to table its report in this assembly yesterday, which unanimously recommends the ratification by this Legislature of the Meech Lake accord, more formally called the Constitution Amendment, 1987.

Before speaking more personally to the report, I should like to take this opportunity to say a few words about the committee and its work.

I know that each of us undertook our task with a full awareness, not only of the difficulties we faced but also of our responsibilities to discharge as fairly as possible the real and unusual obligations we had to this assembly, to the people of this province whom we represent and last, but by no means least, to the best interests of our country.

The Acting Speaker (Miss Roberts): Order. I would remind all members that if you have private conversations, would you please do them in the lobbies.

Please continue.

Mr. Beer: We made a commitment to be open, we made a commitment to listen with care, we made a commitment to an independent examination, and we made a commitment to produce a balanced report. I know the committee did its best to meet these commitments.

I wish to emphasize that the report members have before them is very much a document of the committee. It is very much a statement of consensus and is very much a report to which everyone on the committee contributed.

In closing these remarks about the committee itself, I wish to reiterate what I said in my opening comments the other day to the media, namely, that I am particularly grateful to the other 10 permanent all-party members of the committee. They worked extremely hard and co-operatively and confronted with enthusiasm the steep learning curve we all experienced. It was a pleasure to be their chairman. They expanded my horizons and I have learned a great deal from them.

I also want to thank the legislative staff who competently provided us with enormous and invaluable support and assistance.

Finally, on behalf of the committee, I should like to thank the many, many citizens who gave us the great benefit of their insights and without whom we would not have been able to do what we did.

As we commence the debate on this report, I think it would be useful and, I believe, extremely important, to explain the committee's approach to the report, to pinpoint some key areas and to say in effect how and why we concluded as we did.

The basic objective of our report and the way we put it together was to provide for this assembly a framework within which, on the one hand, the Meech Lake accord is understood, and on the other, a specific agenda of continuing constitutional reform is addressed. This framework is absolutely essential to our findings and is the core of our report. I cannot stress this point sufficiently, for in the end we found it to be central to our thinking on this whole matter. Therefore, I would ask the assembly to keep in mind this perspective as we consider the report.

In underlining this deliberate approach which we took and in drawing particular attention to the link between present Meech and continuing change, I want to spend a few moments on how we arrived at this crucial conclusion.

The first part of the report, entitled "The Constitutional and Political Context," clearly demonstrates the enormous amount of testimony we heard on the need to bring Quebec fully into the Constitution of Canada. Equally, and we found this of great significance to those who appeared before us, we were told about the critical requirement to establish a definite way of meeting a wide range of other constitutional aspirations held by many people.

I cannot stress enough the impact this made upon us. Thus, as we heard the evidence, as we worked through the material and as we went through the entire process, we recognized that Meech was not, as some feared, the end of the possibilities of acceptable constitutional change but in fact was an important base from which to launch discussions on many other issues of great concern to people in our province and elsewhere.

We therefore came to the conclusion that there is an important relationship between the provisions of Meech and a process of ongoing change. Thus, we were able to turn our attention and focus our energies on specific ways of implementing this relationship.

As will be seen from our report and from all we heard, there was and is no shortage of pressing matters to address. What we had in effect were both substance and process, and as a committee, at the end of our deliberations in June, we agreed to bring together the ratification of the Meech Lake accord and a firm agenda of continuing constitutional reform.

The last part of the report, containing our 11 recommendations, shows the ways we chose to ensure a process of further change. I would ask that each be looked at carefully, and for now I would simply point out by way of illustration that our recommendations range from the establishment of a standing committee of this assembly on constitutional and intergovernmental affairs to the two companion resolutions on further "fundamental characteristics" of Canada and on new discussions concerning aboriginal peoples.

I have spent some time on this issue of our approach to what forms the core of our report because I think an explanation of our argument and conviction and rationale is in order.

I further commend the adoption of this approach and the framework it establishes because the provisions of Meech make it abundantly clear that constitutional and related changes are an ongoing feature of the life of our country, and our report, through its recommendations, complements and supports that effort in a variety of specific ways.

By adopting our report, I believe this assembly will respond to the concerns of a majority of witnesses we heard and will be making a truly positive, clear and significant statement, namely, that we ratify the accord and simultaneously, in the same spirit of change and accommodation, that we move straight on to undertake the agenda of constitutional reform of this generation. I am confident that this combined approach strengthens the bonds of our Confederation.

Now, if I may, I should like to say something of my own opinions and convictions concerning Meech and the future. In my view, the Meech Lake accord achieves what the headline in *Le Devoir* said a year ago after the news about the first ministers' agreement: "Le Canada dit oui au Québec," "Canada says yes to Quebec." I hope that now we can each respond in the same fashion.

In my opinion, Meech is an enormously important national rapprochement and reconciliation. Meech is a making up, not a giving up. Meech strengthens Canada. Meech helps demystify the issues we put on a constitutional pedestal and distinguishes more clearly for all of us those separate issues of concern with which we need to deal in a regular political manner, and Meech is a solemn commitment to continue the agenda of constitutional reform, to move on.

1620

Historically, Ontario has always acknowledged, as the Meech Lake accord does, that Canada is not a unitary country, but a united

federation. That is my view of my country, and it is the review of the report which we are debating. This view leads me to address directly some of the major misconceptions of the Meech Lake accord.

What are some of those misconceptions? That Meech makes Canada weaker, that Meech balkanizes Canada, that Meech puts Canada in a constitutional straitjacket. With respect, I think each of these views is misleading, if not wrong. Moreover, I would argue with equal force that Meech is in the long tradition of strengthening our country, because it improves the capacity of Canada to act for Canadians in their national interest. If I thought otherwise about Meech, I would not be making this argument for a moment. I advance this view because I think it is important to look at what the accord says and not at what some say it says.

First, if the proposed amendments become part of our national Constitution, is Canada weakened? My answer is no. Is our country weakened by the description of Canada as having English- or French-speaking Canadians or by the description of Quebec as a distinct society? Those are realities and, more important in constitutional terms, they must be read along with many other parts of the Constitution, including the Charter of Rights and Freedoms. Furthermore, they do not exclude the addition of other fundamental characteristics.

Also, and crucially, it is stated explicitly that these provisions do not take away from existing legislative or executive authority. Is our country weakened by allowing the provinces to nominate candidates to such institutions of federalism as the Senate and the Supreme Court? No, because this innovation is balanced by the fact that the federal government retains the right to choose. Is our country weakened by the immigration provisions? No, because those are subject to review by Parliament and the provisions of the charter.

Second, do the proposed Meech amendments balkanize Canada? My answer again is no. The federal power to spend in the national interest is for the first time made explicit, thereby strengthening the national role. Those who are concerned about having different or checkerboard programs should remember that, subject to basic, nationally prescribed conditions, Canada already has a number of provincial variations in its major social programs; for example, the Quebec pension plan and medicare premiums.

In this connection, let me also say that the Constitution does not replace political will and

political leadership. If, for example, the country wants a national day care program, then we will have one. If the country wants acceptable regional variations in or adaptations of such a program, we will have those too.

Third, are Canadian constitutional arrangements made more rigid by the Meech proposals on the amending formula? My answer is no. The extension of unanimity is not to federal institutions but to the institutions of federalism. This difference is not merely semantic, because the latter are ones which reflect the whole country and which therefore deserve the approval of the whole country if changes are proposed to them. It should also be stressed about the amending formula proposals that the vast bulk of our Constitution, including the charter and linguistic provisions, can still be amended by Parliament and seven provinces representing 50 per cent of the population.

Thus, Meech is not guilty, in my view, of a number of the altogether too common allegations made against it, and I suggest that the answers I have just given be carefully weighed against those allegations.

The subjects of aboriginal rights, our multicultural heritage, women's rights and other equality rights have properly commanded much attention in discussions about the Meech Lake accord, including the committee's report. For me, this focus simply underlines the enormous and appropriate significance that we attach to the challenge of ensuring that our collective identity and values are fully reflected in our Constitution.

We have started this process with the linguistic duality and "distinct society" provisions of Meech and, in a positive, active and continuing fashion, we must now carry the work forward and amplify and expand on what we consider to be the other fundamental characteristics of our country.

At this point, I wish to lay great emphasis on a related concern. In the committee's conception, charter rights and freedoms—and let us not forget that these explicitly include rights based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability—are encompassed by what we said in our ninth recommendation, where we called for an amendment to the Constitution which will include—and I quote from the report—"a recognition that the commitment to the protection and guarantee of the rights and freedoms of all Canadians constitutes a fundamental characteristic of Canada."

The inclusion of the protection and guarantee of all these equality rights must be addressed

carefully and more precisely as we elaborate the fundamental characteristics of Canada. Second, and with equal emphasis, we must of necessity get the discussions on aboriginal rights restarted. Finally, we must come to grips with the multicultural identity of this country. Our report ensures that these concerns remain front and centre by the unique constitutional proposal of the two companion resolutions found in our recommendations 9 and 10.

Madame la Présidente, j'aimerais dire combien je me réjouis de voir les progrès accomplis par l'accord du lac Meech en matière des droits linguistiques. Tous les gouvernements sont maintenant tenus de protéger les droits linguistiques de toutes leurs minorités, et il s'agit là d'un gain appréciable.

Permettez-moi d'ajouter ici que si l'accord avait déjà fait partie de notre constitution, nous n'aurions pas été témoins des décisions regrettables prises récemment par les gouvernements de la Saskatchewan et de l'Alberta. J'ajouterais que ces décisions sont rendues encore plus regrettables par le fait qu'elles ont été prises après que les premiers ministres concernés avaient signé l'accord du lac Meech et après que leur Assemblée législative avait adopté une résolution ratifiant l'accord.

Fort heureusement, l'Ontario a pris des mesures plus équitables, et comme notre rapport le souligne, nous devons continuer à protéger et à promouvoir les droits des Franco-Ontariens, et c'est à cela que je m'engage.

As I move towards the conclusion of my remarks, I think it is extremely important to understand why the passage of Meech is a significant act of our continuing constitutional renewal. Meech addresses what was not done in 1982. Meech breaks the resulting stalemate. Meech deals positively with the aftermath of a promise made to Quebec and not kept. Meech fully restores Quebec to the Canadian constitutional family. Meech adds to our Constitution a number of useful and long-sought amendments, making our country a more integrated federation. Meech continues the process of defining ourselves as Canadians. Last, but by no means least, Meech puts an enormously divisive and dangerous past where it belongs: behind us.

It is a new generation, both in Quebec and in the rest of Canada, which now is faced with the choice and with the responsibility to alter an unpleasant legacy we inherited. Meech gives us the opportunity to do just that. Recently published analyses of the past 20 years of our constitutional history have shown how much

trauma we have actually experienced and how a vastly different, more confident and outward-looking Quebec has emerged since that time.

In my opinion, Meech responds positively to all this experience and evolution and Meech is in a way the culmination of the whole last two decades. Therefore, it is the moment for us to seize this new spirit, to take advantage of it and to go with the flow and tackle, in a fresh, positive and newly united manner, this generation's agenda of constitutional reform. I am not blinded to the fact that we will, no doubt, encounter our share of problems and difficulties, but I want it to be said that we began anew by laying the cornerstone of the Meech Lake accord.

1630

All commitments are of course statements of faith, and Meech is no different in that respect. But Meech is also in the long and positive tradition of our constitutional evolution, from 1867 to 1931 to 1949 to 1982, and now to the 1987 amendment. Each step represents an improvement on what we had. Today a new Quebec has challenged us to be a united Canada. I propose we take up that challenge with confidence and welcome the result.

At the same time, and with the foundation of Meech, I propose we build on that by formally committing ourselves to a new agenda of constitutional change. That is the essence of our report. Like many others, I have grown in my understanding of Meech and what it represents and my support for it has been reinforced after carefully considering its totality.

As this debate proceeds, I would respectfully urge that we keep in mind the perspective offered to us by Edmund Burke in his famous 1774 speech to the electors of Bristol. He was talking to his constituents about Parliament and his duty as a member: "Parliament is not a congress of ambassadors from different and hostile interests, which interests each must maintain, as an agent and advocate, against other agents and advocates; but parliament is a deliberative assembly of one nation, with one interest, that of the whole; where, not local purposes, not local prejudices ought to guide, but the general good, resulting from the general reason of the whole. You choose a member indeed; but when you have chosen him, he is not a member of Bristol, but he is a member of parliament."

Today, and to the conclusion of this debate, I intend, as Burke usefully reminds me, to focus on the whole, to focus, as does the report we are considering, on the choice Meech affords us of a

continuing commitment to a specific agenda of constitutional reform and of a stronger Canada.

In its long tradition, this assembly has never voted for anything less and I would urge all members to vote for the adoption of our report.

Mr. Allen: It is a great pleasure on my part to rise and participate in the debate in this chamber, with all the significance this debate has. I want to say, in the first instance, that I am of course rising to commend the report to the Legislature on behalf of the members of the committee from the New Democratic Party.

I also want at the same time to say what a pleasure it was to work with the chairman, who has just spoken, and with the other members of the committee of which you, Madam Speaker, were the vice-chairperson.

It was indeed, I think, an exercise of great patience often and of great forbearance on the part of the chairman, as he listened to us all trying to get our heads together and to keep us all composed and working as a single unit through the last weeks in which we were doing our reflections on what we had heard. That task was accomplished with singular ability and dexterity on his part.

I also want to pay our respects to the members of the Legislative Assembly staff, to Deborah Deller, who was the clerk of the committee and who kept us well organized throughout, both in our travels and hearings, and well supplied here in this Legislature; also to David Bedford, the research assistant we had from the research department of the legislative library, who produced excellent documents, one after another, for our reflection on the many subtopics which came up in the debate around Meech Lake. We were kept on track very helpfully by Mr. Bedford's excellent documentation and analysis of the numerous issues which came before us.

I want to say personally that it was a very welcome, stimulating experience for me and I hope it was for the other members as well.

Madame la Présidente, le Comité spécial de la réforme constitutionnelle a fini son travail. Notre comité spécial, comme le pays lui-même, a fait un long voyage, mais c'est la fin de la route et il est temps de dire oui au Québec.

Vraiment, cet accord du lac Meech n'est pas parfait, mais il est temps de réintégrer le Québec pleinement dans les affaires nationales, non seulement pour l'unification du pays mais pour la réalisation des grands projets de notre pays à l'avenir et, bien sûr, pour l'achèvement de l'ordre du jour de la réforme constitutionnelle pour les femmes, pour les autochtones, pour la

communauté multiculturelle, pour les minorités linguistiques, particulièrement ici en Ontario, et pour le statut des territoires. Ce n'est pas trop dire que de souligner que pour l'achèvement de cet ordre du jour, il est absolument crucial que le Québec soit à la table. C'est une province progressiste que nous respectons beaucoup sur ces sujets.

Notre comité spécial a fait un voyage difficile, mais nous en sommes arrivés, dans ce rapport, à notre destination. Nous recommandons la ratification de l'accord du lac Meech, même avec des réserves significatives. Si l'Assemblée législative appuie notre rapport, elle dira ainsi oui au Québec, elle aussi, et oui à ce pas vers la réintégration constitutionnelle de tous nos citoyens dans notre pays.

I think the time has come when we have reflected long enough as a committee on this issue. Hopefully, in the next two days, this Legislature will have reflected adequately on this issue and will have decided that it is time to say yes to Quebec. It is true that this accord is flawed; it is not perfect. Yet it is difficult to find constitutional documents that are not in some fashion flawed and imperfect. It is certainly true that this document does not include all of those who wish to see constitutional change in this country. Those persons have, of course, a very good reason to want what they desire from our Constitution.

I think we must recognize that this particular exercise has limited objectives and that, therefore, our concern and decision must relate primarily to those specific objectives and not to a larger unfulfilled agenda which still resides there and which must have our sympathy. When our party, at its convention late last week and over the weekend, looked at this question and had a very spirited debate on this issue—as I understand the chairman of the committee's party also had a spirited debate at a convention not long ago on the same subject—we none the less concluded that when everything was said and done, it was necessary for us, as a party, to say our yes to the accord and our yes to Quebec; notwithstanding, again, reservations, and notwithstanding some significant arguments that may well be made of some depth and profundity with respect to singular aspects of the accord.

So our party resolved that the Ontario New Democratic Party supports the ratification of the Meech Lake accord, accompanied by the commitment to continue constitutional reform to address, among others, the outstanding grievances concerning the supremacy of the Charter of

Rights and Freedoms, women's rights, multicultural rights, aboriginal rights, minority language rights, federal spending powers and the future status of the Yukon and the Northwest Territories, with full, free and democratic participation.

If I might read that also in our other language.

«Qu'il soit résolu que le Nouveau Parti démocratique de l'Ontario appuie la ratification de l'accord du lac Meech, tout en s'engageant à poursuivre le processus de réforme constitutionnelle en vue de redresser, entre autres, les griefs en instance concernant la suprématie de la Charte, les droits des femmes, les droits multiculturels, les droits des autochtones, les droits linguistiques des minorités, les pouvoirs fédéraux en matière des dépenses publiques et le futur statut du Yukon et des Territoires-du-Nord-Ouest permettant leur participation entière, libre et démocratique.»

1640

The first item that our report addresses is the whole question of the process in which we were immersed. The accord came to us after two notable sessions of first ministers, held at Meech Lake and the Langevin Block in Ottawa, and the first ministers had returned to their legislatures committed to secure the ratification of the document they had signed.

The problem the legislative committee faced at that point was essentially that we had been bypassed in the process. I would not want to suggest that the process that took place around the evolution of the Meech Lake accord is worse than the process that existed for constitutional reform prior to 1982. Certainly it was not.

At that point, we all know that what was required was an address from the Parliament of Canada to the Parliament of Westminster and that in the course of time it had been required that the House of Commons, the Parliament of Canada, secure the unanimous support of all of the provinces for any amendment that was to be acceptable to the Parliament in Great Britain. That process never at any point required the consultation in a formal sense of standing committees, of legislatures, let alone the hearings in public of what was transpiring and what was being proposed for amendment at that time.

There is no question that when 1982 set in place a new amending formula that required some matters to be considered with unanimity and others with the seven-province, 50 per cent formula, there was some advance made; and one can understand how the premiers may well have thought that they were acting in accord with the 1982 formula.

The major problem, however, was that they were not themselves taking account of something else that had happened in the nation in the interval; namely, that part of the 1982 settlement had been the Charter of Rights and Freedoms of Canadians and that the very essence of that document implied, with its equality provisions and so on, that there would be full participation on the part of the public in determining its future. That would mean implicitly that their elected representatives in legislatures would be participating fully in the process.

Unfortunately, what happened in Meech Lake was that that whole segment of the process, the spirit that necessarily should have accompanied the charter and its impact on constitutional debate and formality, was entirely left to one side.

As a committee, we felt very strongly that we were in fact finding ourselves in the midst of a new era of democratic participation and at the same time somewhat marginalized in the process. We found ourselves in a new era where, on the one hand, the ultimate authority of legislatures was increasingly, by virtue of the charter and the courts and court decisions by nonelected officials, becoming less and less significant and the Legislature more and more restrained in certain of its powers. On the other hand, executive power in the nation was somehow being utilized in such a way as to cut us off at the whole beginning of the process, if you like, in the generation of constitutional change, which would of course structure the framework within which we would have to live as a Legislature.

Therefore, we felt that somehow we were being reduced, and as a result we also felt that we had a significant bond with those who came before us who, whether we agreed with their arguments or not, felt that they were somehow constrained, marginalized, left out by the process. As I say, we did not always agree with the arguments as to whether they were or not, but certainly we felt a bond with it, and therefore the first thing we did in our report was to say very clearly that, for us, it must never happen like this again.

We say that not just for ourselves as a Legislature; we say that for the country and for our people as a whole, because they deserve better than to simply be confronted with the ratification of documents that the first ministers are very fearful someone might change and, therefore, they would have to go through the whole process again.

None of us in the committee, I think, felt there was a problem with what one might call

executive federalism in itself, as long as it was accompanied by other appropriate things that were necessary in a free and democratic society. We certainly understood that executives, finally, have the necessity of putting together these documents and agreements and making certain that they are well structured, well proportioned, and then at that point in time, they must be circulated for assent. We understand that.

But we also believe that those documents are the better, in the long run, for having gone through the kind of process that we in this committee felt it was necessary to commend to the country as a whole in order to help straighten out the implications, if you like, for constitutional change that necessarily grew out of 1982 and the Charter of Rights but, in fact, in this case did not happen.

We heard and we listened, and many very eloquent groups and individuals came before us. They plumbed the depths of the accord and of constitutional nicety. Some were experts and some were not. In the course of that, the legislative members of the committee learned a great deal. One of the great benefits of this exercise, I think, is that there are now at least 11 members of the Legislature who have had not just a short course but a long course in constitutional thought, constitutional nicety and constitutional technicality. I think, as members, we will be able to function at a rather more elevated level with respect to a whole series of issues here and publicly as a result of that experience.

I wish it had been the lot of every member in this Legislature to go through that, because it was, in the chairman's words, "a steep learning curve." Those words are really very appropriate, because we did have to really rev ourselves up to get up that hill. We hope that we, at least in some measure, made it.

It would be easy to exaggerate the importance of what we did or even the importance of what the first ministers did. Constitutions, in relationship to nations, are not the only things that structure and build our lives. They are better and they are worse, but what happens in terms of the political realities day by day, what happens in terms of the political will that governments generate, is perhaps of even greater significance.

It would be easy to exaggerate the significance of the Meech Lake accord. One has only to reflect on our history to realize the changes, the alternations in mood and emphasis that have taken place within the context of the 1867 document, to realize how that can happen

without there being very much in the way of significant change in the Constitution itself.

One is aware, for example, how a centralized Constitution in the Macdonald era became a rather decentralized one at the turn of the century. Then under the pressures of the needs of a centralized nation, the challenge of the Depression and a war, it was necessary to move towards a more centralized document again.

Two things happened in the post-war period. One was the growing power of provinces, on the one hand, and the struggle on the part of the federal government to maintain its power over against that, on the other hand. One was never quite sure whether one was becoming more decentralized or more centralized in the process. Everybody thought at the end of the Trudeau era that he had managed to shanghai and run us all from Ottawa like a president, and that was that. Well, it was not quite so simple. Obviously, other things were happening to the provinces that counterbalanced that in significant ways.

The point of all that is simply to say that within the framework of a written Constitution, much can happen by virtue of necessity, by virtue of the will of the political bodies that inhabit the nation. So let's not overestimate the importance of what was done at Meech Lake or the Langevin Block or what was done here in the Amethyst Room or in this chamber. It remains, none the less, an important undertaking, because all of us are obligated to give our best thought to structuring the nation's affairs at every point as best we can.

1650

One of the major issues that confronted us was the argument, which came from many quarters, that somehow Meech Lake excluded other people, and that has to bring us to the question of what Meech Lake was all about. In the first place, the aboriginal community felt it was being excluded and then the multicultural community, the ethnic communities, believed that somehow they were prejudiced or in danger as a result of Meech Lake. Women's groups felt somehow they were losing something they had grasped in 1982 that was very precious. Linguistic minorities felt somehow they were being downplayed vis-à-vis the powers of promotion of a distinct society in Quebec. The territories felt that while they had gained a toehold after 1982 in the process of constitutional reform as a result of their participation in the aboriginal process, that now was all lost.

As one reflects on the Meech Lake accord and how it came about, one can see how one might think that those things were really happening,

because it was true that the aboriginal process had come to an end. But one has to remember, to take just that one instance for the moment and set this document in the context of 1982, who got what out of the 1982 agreement is the question that has to be asked.

One has to recognize that in composing itself around the repatriation of the Constitution and the creation of the Charter of Rights and Freedoms, the aboriginal community did indeed get its place in the document at the end of the day. There was protection for multicultural heritage rights in the charter. Gender equality was placed firmly and flatly in a very substantial grant of rights in the context of the charter, quite apart from the equality provisions in section 15. Linguistic minorities secured a major advance in the context of the 1982 document. The territories found their place at the table by virtue of being incorporated in the aboriginal round that then followed.

Only Quebec, of all the major entities that were in play in 1982, was left to one side at the end of that round of discussion. Therefore, even though the aboriginal community secured a place in 1982 and then did have a round of discussions which, unfortunately, were not fruitful, none the less, it and those other groups did indeed find their way to the constitutional table and to the settlement.

The important obligation, in addition to the moral obligation of dealing first with the aboriginal issue, that remained outstanding was to reincorporate Quebec in the nation. It is not true, as many people said, that somehow Quebec was outside the Constitution. That we, as a committee, concluded was not the case, but what we did conclude was that Quebec was not, after all, really a group like the others.

There is not a constitutional entity known as the multicultural community that somehow has a place in the balance, powers and so on of the Constitution. Women, as a group, do not have a defined place in the Constitution, apart from the rights that are accorded in gender equality. Women are not a part of the constituted structures of the nation which meet and have certain powers and therefore exercise those powers and whose decisions impact upon the rest with the fiat of law. That is not the case.

Quebec is an entity of a different order. Quebec is one of the founding units of this nation. It is a province with a quarter of the population, distinct in its own right and accorded specific powers within the Constitution. It is absolutely critical and, the committee conclud-

ed, absolutely necessary for that province, in the exercise of its full powers, to be in all respects within the context of the Constitution, that it willingly accept the latest constitutional settlement of 1982, that it willingly accept the charter as its charter, and that only on that basis and only when it returns to the table on those grounds would we be able to make the headway we need to make with all the other substantial, but none the less secondary issues that face us in the areas of social change, social programs and constitutional reform itself.

It was not so much that aboriginal people were excluded as that they were not put back on the agenda. This led the committee to try to address that question in the most forceful way it could.

The multicultural community clearly wanted something that strengthened the position it already had in the charter and in the Constitution to date and was worried about the impact of the "distinct society" concept and linguistic dualism. Those are reasonable things to be concerned about, but in their request for "fundamental characteristic" status, I think they sometimes read the accord as saying that linguistic dualism in Canada was the fundamental characteristic of Canada and not a fundamental characteristic of Canada, and therefore the list of fundamental characteristics was open-ended and it would be possible for us to address that in the future, as indeed our committee attempted to do and did, again, in the most effective way it could.

The problem women felt was one that puzzled us deeply because we were presented with a lot of very involved legal argument around that whole question, for example, whether being left out of section 16 was a major oversight, whether it did create a hierarchy of rights that left them out of the top echelons of the hierarchy, whether somehow multicultural groups and aboriginal groups, because they are mentioned and protected in section 16 of the accord, were somehow special and all other groups were not. Then there was the question as to whether the "distinct society" powers in the first section of the accord might somehow be exercised in such a way as to reduce women's rights in Quebec.

We had to wrestle with all that in the committee. It would be wrong to suggest that we as a committee held within ourselves sufficient legal and judicial expertise to be able finally to resolve that question to everybody's satisfaction. None the less, it was true, I think, that all the solutions the women's groups that came before us proposed, were solutions that really created still further problems; that if you tried to add

section 28 to section 16, you simply added to the hierarchy of rights problem, that if somehow you took the equality section out of the charter and put it into the accord, then you would remove it from its standing within the charter as a whole and you would unbalance the charter.

The likelihood that the first ministers, who had agreed to the charter as a complete document, would ever agree to the unbalancing of that document in the foreseeable future was one we had to recognize was completely unlikely. Therefore, that was not in any case a workable road to go.

Finally, I think we did not totally satisfy. Certainly, letters I got—I have copies of letters in my hand—from people like Mary Eberts, who came before the committee, show they are not satisfied that we were able to resolve that problem for the women of Ontario and Quebec.

None the less, in our fundamental characteristics motion, our companion resolution, by placing as a fundamental characteristic of Canada the commitment of this nation to the protection and guarantee of all rights and freedoms of Canadians, we did intend in that phrasing to include the charter—and by including the charter, by implication also section 28—and to reaffirm that indeed in Canada it is a fundamental proposition that cannot be denied and must not be denied that male and female persons are equal before the law in all respects.

In that sense, we hoped we were stating an affirmation that responded as fully as we felt our committee was able to under the circumstances to that particular concern.

1700

Linguistic minorities which came before us and were concerned that they were preserved but not promoted had our deep sympathy, but we also knew that in western Canada, for the Premier of British Columbia or the Premier of Alberta or the Premier of Saskatchewan to commit himself to preserving linguistic minorities was indeed an unprecedented step forward. We could even imagine that under preservation one might embrace a good deal of what might, in some other circumstances, also be called promotion.

I think our sense of the realism of using that language in the present context is perhaps borne out by what then began to happen almost immediately in Saskatchewan and Alberta. It is the conviction of the committee that if Meech Lake had been in place, there would have been appropriate constitutional references available for the francophone minority in Saskatchewan to

fight back in a more potent fashion than it was able to in the circumstances in order to preserve the status of the French language, which it had in those territories under territorial law and was inherited by the provinces in the west when they became part, full provinces, of Confederation in the full sense.

None the less, our concern was also with our own Franco-Ontarian minority. We believed, as the chairman said, that it was necessary for us to state unequivocally that as far as we were concerned, we were not prepared in this province simply to preserve, but we were prepared, indeed devoted, to promotion of the rights and the entire cultural future and development of the Franco-Ontarian people of this province.

With regard to the territories, I would hope the two lapses in the accord would be readily and easily repaired by the first ministers, namely, the lapses of not according them the right to nominate senators or to nominate Supreme Court judges. There is no reason for that, and the language of the accord itself almost suggests that was intended. It did not happen. I hope that the first ministers, when they receive our resolutions and recommendations, will recognize that they indeed have an obligation at the earliest possible date to repair that oversight. I cannot imagine why they would not want to do that.

Interjection.

Mr. Allen: Go ahead. The member will have his turn later.

In any case, it would hardly unbalance any chamber. It would hardly unbalance any court. The final word in the appointment process, as the member who spoke knows full well, lies with the federal government. Any problem that arises in terms of the nomination would clearly not impact on those institutions in any significant way.

The whole issue then for the territories, I think, becomes whether they do find a place back at the table when their interests are at stake in the Confederation. We have at least provided for them a way of getting back. They are at least providing the first ministers with an obvious route back to the point they held in the wake of the 1982 settlement.

What the accord does for us is to distil the debate in this country vis-à-vis the relationships of Quebec and the rest of the nation of a generation. I think many people who have read the accord or listened to reports of the accord and the debate and the commentary on it have perhaps been unduly concerned because they appear to be hearing things or seeing things in

writing that, in fact, have been there in practice for quite some time.

The whole issue, for example, around shared-cost programs, spending power, national objectives and national social programs is clearly a case in point. The arcane debate around national objectives or national standards is one which, in my mind, really does not go anywhere. The critical question is whether there is a basic guideline there which says that when the federal government, in the exercise of its now constitutionally recognized spending power, spends in the context of exclusive provincial jurisdictions, the provinces have a right to some say in the process as they receive the money as to how it will be applied in the particular province or region. Whether those programs get put in place or whether they do not depends very heavily, as our own political experience in this country makes very plain, upon the political will of provincial and national governments to put in place programs of some effectiveness and of some consistency across the nation.

We can see right now, without the accord in place, that the child care program the federal government has put in place is really a patchwork proposition which has no national standards of any character to speak of. That takes place at a time when we have all been used to national programs under the Canada Health Act, for example, or under the Canadian assistance program.

My sense with regard to the question of whether the national unity has been impacted by having the right of the provinces to nominate senators or Supreme Court judges is that it goes no further than was proposed under the past Liberal government of Mr. Trudeau, who now objects so much to this accord. He had various propositions to cut the provinces in on the Senate and to cut them in on the Supreme Court. The fact of the matter is that while they may nominate, at the end of the day all those nominees have to be fully acceptable to the federal Privy Council to make the final appointment.

It seems to me that there is in this accord very little that strikes at the root of national unity and, as I indicated earlier, I think all of us in the committee finally were convinced with respect to the concern that we would never be able to amend our Constitution again because of the unanimity principle. We realized that the unanimity principle, after all, applies to a very limited series of federal institutions and that, for the rest of the large, broad reach of the Constitution, the formula of seven provinces and 50 per cent is

what will take effect, with one or two minor exceptions along the way.

What one would assume, for example, is that with another province like Quebec—in many respects, if you discount the New Democratic Party governments that have been in this country, I think Quebec has the most progressive record of legislation of any of the provinces in this country—at the table, it will make a great difference to the way in which issues are played out at the table of national debate. My own suspicion is that at least it will significantly help women and aboriginal groups, in particular, to have Quebec at the table.

Finally, let me simply say with respect to the method we used to get to where we finally came out—namely, our notion of companion resolutions—that some people have thought the companion resolution is perhaps more than it would normally be understood to be in this legislature. A resolution is a resolution is a resolution. If it is passed by this House, it is passed by this House. If it has the force of this House, then it is a matter of some consequence; but of itself, and in particular in a national matter, it does not affect the changed objective that it wishes to secure down the road at some point when other Legislatures and other governments will have gone the same route and will have made the same decision and will cumulatively then bring it altogether in terms of those amendments around fundamental characteristics and reinstating the aboriginal process that we in the committee felt was so important.

In concluding, I would like to remind members that there is at least one very potent premise, one important precedent that we must bear in mind when we evaluate the possible significance of companion resolutions, and that is that the United States Bill of Rights was initiated as a companion resolution in the assembly of Massachusetts.

1710

They returned from other constitutional discussions at another place and another time and were upset that there did not exist such a bill in the American Constitution, as they had sketched it out with their fellow states in the round of discussions they had just been through. They went home and passed a Bill of Rights and then they sent that Bill of Rights to other legislatures, as we propose to send our companion resolutions to other legislatures, and one by one the other assemblies adopted the Bill of Rights and it became a potent and powerful instrument for the

American people throughout the rest of their history.

I simply want to suggest to members that if we put in place the political process we have described in the report and if we work that actively, as I hope we will, through the standing committee and through this Legislature, we will achieve those same objectives for persons and groups in this country that do need to have their status and their standing in our nation reinforced in important ways.

With that, I want to say it has been a very great pleasure to be able to stand and speak both personally and in terms of the document that was passed by our convention at Thunder Bay in recent days with respect to the Meech Lake accord. I hope only that I would not have to be absent for any moment of the rest of the debate. Unfortunately, I will have to be absent for some part of it, but I will look forward to reading all the speeches of all the members who speak in my absence.

I commend the report fully, wholly and without reservation to the Legislature and to my fellow members.

Mr. Harris: I am delighted to have the opportunity of four or five hours to put a few thoughts on the record on this accord. I want to begin by saying that I do not intend to review everything one might like to review in the Meech Lake-Langevin accord, or indeed in the committee report. We will be having substantial debate, and I know a number of people, particularly the members of the committee, will be putting a lot of their views on the record, most of which I am sure I will share. If I do not share them, I might interject. I know it will not be appropriate, Madam Speaker, to interject too forcefully.

I want first of all to congratulate the chairman. I just know him as "Good old Charlie." Where is his riding?

Mr. D. S. Cooke: York North.

Mr. Harris: Yes. I thought the member for York North (Mr. Beer), who chaired the committee, did not have an easy job. It was a challenging job. I thought he handled the committee and the witnesses who appeared before us very well, and I thought he demonstrated a maturity of chairmanship that certainly belied the short amount of time he has been a member of this Legislature. I congratulate him for that, and I think all members of the committee felt that way.

I also think the witnesses who appeared before us felt that way. When you have a document like this, a committee like this, with the variety of

people we had before us and—let's face it, and when you invite public input, you expect, and we did get, those who are opposed more often than those who are in favour. That is the nature of democracy.

If you are in favour, very often you say: "Well, that's fine. They're on the right track, those guys." If you are opposed, you rise to the occasion a little more strongly and say, "I had better get down to Queen's Park," or, "I had better get out to hear them in Ottawa or in London, or wherever the committee is, and set these people straight."

It was not an easy job and I did not hear one single witness who did not think that he or she was treated fairly by the committee. The chairman, who represented us, deserves recognition for that.

I also want to say that our party, and I share that concern, was not happy that we did not have an opportunity between Meech Lake and Langevin to consult with the public. That part of the process, I thought, would have made more sense. This report makes a number of recommendations, where the committee was unanimous, about the process that was used to arrive at Meech Lake, at the compromise and the accord that was reached. I understand how it flowed out of the 1982 process, but it is one we do not wish to see carried on for future rounds.

Now that our Constitution is home, as of 1982, and now that, as all jurisdictions, hopefully, ratify this accord, Quebec is an active participant in our Constitution, it is time to learn from what has happened in those two rounds and to move on. We make a number of recommendations to improve that process.

None the less, I thought the committee could have been struck and could have done a fair bit of work before we sent our Premier (Mr. Peterson) back off to the Langevin Block to finalize the accord.

I want to talk about why I support this report and why, after having heard all the evidence and having been part of it for a number of months, I support the resolution that will follow this report, which will be the adoption by this Legislature of the accord. Then I want to talk about some of the problems and then about our minority report; why I think it is important and why I think we could have gone a little further in a few areas. Then I will sit down.

Let me, first of all, without getting into a great deal of detail in this aspect, say this was the Quebec round. Following 1982, the commitment was made to get Quebec into the Constitution.

This was not a first ministers' gathering to talk about anything other than that. That was achieved.

What we have to analyse in looking at this accord is, "Was it achieved at a price that has compromised the success it achieved?" What did it achieve? Let's look at that and at some of the problems, and then all members of the Legislature have to make an informed judgement whether the problems outweigh the successes.

Meech Lake in the early times, shortly after Meech Lake and Langevin, was referred to as the miracle of Meech Lake, and indeed I think it was very close to a miracle, in the light of what was unachievable for so many years, a couple of decades really of actively trying to arrive at what kind of Constitution we wanted as a nation, and the lack of success in that regard throughout the 1960s and the 1970s. I do not think anybody, whatever he felt of the policies of Pierre Elliott Trudeau, could deny that this one issue meant more to him perhaps than any other, bringing the Constitution home to Canada and having the 10 provinces adopt the Constitution.

Pierre Elliott Trudeau was not able to achieve that. He had that commitment, I believe. I believe him to be a very intelligent individual and I believe there was commitment from the other provinces as well. So I think we have to say it was close to a miracle to have got the breakthrough. I think we have to congratulate the Prime Minister of Canada. I think we have to congratulate the 10 premiers who were there and we have to look at what they signed and what they are recommending to us.

1720

The key part to me is the distinct society. I am not sure many people will talk about it, because it is controversial, so I am going to talk about it. The distinct society is the recognition that Quebec is a distinct society contained within the Canadian Constitution. In my view, that was the breakthrough, getting all 10 provinces and the federal government to agree to that.

Why is Pierre Elliott Trudeau opposed to this accord? I think there are two reasons. First, distinct society, the recognition of Quebec in that way, is not his vision of Canada. That is one of the reasons I am in favour of this accord; I do not share Pierre Elliott Trudeau's vision of Canada.

Second, and I want to put it on the record, and it may sound petty and we do not want to engage in a petty debate, I think Pierre Elliott Trudeau felt, "If I can't bring the Constitution home and get Quebec to sign it, being the great Quebecker I am, then nobody can do it under the right terms."

I think he would have been opposed to anybody else, Liberal, Conservative or New Democrat, because he has that kind of ego.

Many people have said: "Trudeau is against it. What is this distinct society, this great, special status that Quebec has? How can one province in Confederation be special and distinct and get preferential treatment?"

Distinct society to me is a recognition of what has always been in this country. It is spelled out in the recognition that Quebec has a majority French-speaking population in that province and a minority English-speaking population, and the rest of the country has a majority of English and a minority of French. That is the way Canada came together. Those compromises were made between Upper Canada and Lower Canada. They said: "We can live together. We will have Lower Canada, a majority of French, and Upper Canada, a majority of English. We will recognize religious differences and language differences." And we became a country. What has changed in those years? Nothing has changed. Today, on the language issue, Quebec is distinct. It is unique. It is different from the rest of Canada. This Meech Lake accord recognizes that.

It also talks about protecting the minority-language rights of the English in Quebec and of the French outside of Quebec. There were groups that came before us that talked about the plight of English-speaking Quebecers. In my view, the Meech Lake accord will offer them more protection than they have now. It will give them protection. It will be in the Constitution that Quebec must recognize and preserve, as part of its distinct society, those minority-language rights, as do the other provinces.

It is no secret—I do not think it was a difficulty for Ontario or New Brunswick—that it was a difficulty for Alberta and some of our western provinces to come forward and publicly say, "We accept our duty and our right to protect the minority-language rights in our province." What is Trudeau's vision of Canada? In my view, Trudeau's vision of Canada is a Canada completely bilingual, a Canada where a Quebecker will feel as at home in downtown Edmonton as in Quebec City. In my view, Trudeau's vision of Canada is of what he sees it can be like in the future. It may be in the future, but it is his vision and he wants to constitutionalize that vision when it is not reality.

That is not the situation in Canada. It was not at Confederation. Nobody can go back and say this is what was envisioned when Lower Canada

and Upper Canada came together, that they envisioned that Upper Canada would be fluently bilingual. Nobody can say that is the reality in Canada today. Meech Lake reflects what is reality today and, in my view, it should be supported for what it is.

I think there has been a lineup of people who have picked away at little aspects of the Meech Lake accord, but fundamentally you either agree or do not agree with how this country came together, with how it has evolved, with what it is today and on the language issue, if you like, when you are dealing with language, Quebec is distinct. I do not have a difficulty with that; I do not have a problem with that. It is one of the key reasons why I support this accord.

With the exceptions, which I will talk about, of the women's groups, the multicultural groups and the native groups, I think it is no secret that the majority of those who have come before us who oppose the accord—or a lot of them—were Liberals who identified themselves as Young Liberals of Ontario or Young Liberals of Canada or Johnston or Trudeau, and that is not their vision of Canada. Whether they believe, as I think Trudeau believes, Canada is or should be—and even if that is what you think it should be, I do not think you should use the Constitution to change the country. The country will evolve. Or they are envious that the Prime Minister of Canada was able to achieve this and the great Liberal Party and the great Pierre Elliott Trudeau could not achieve it. I cannot see any other reason why one would not support this accord.

I think the report makes a number of excellent recommendations. I have congratulated the chairman. I want to congratulate all those members of the committee and I want to thank those people who came before us. I certainly learned a lot in this process. As the member for Hamilton West (Mr. Allen) has said, I am not sure we could ever say we became expert in the field, but I can tell members we sure know a lot more now than we did before we went into the process.

I want to touch briefly on some of the recommendations. In recommendation 1, the committee recommends that the Legislative Assembly of Ontario establish a standing committee on constitutional and intergovernmental affairs. I think it is important that the government of Ontario get on with this once we have finished here this spring. I hope we do not wait to see what happens with the Meech Lake accord across Canada before we get on with this process and get our committee started so that we can start to deal

with and put into place a far more open process on the Constitution.

Recommendation 2 is that the new standing committee undertake to examine the issues identified as agenda items for first ministers' conferences. It is not enough for us to say we cannot just have the first ministers deciding all this and not get on with it and start to receive public input on what we know are going to be agenda items, so that we can start to get a far broader base of opinion coming from Ontario, save and except the opinion of the Premier (Mr. Peterson), indeed the opinions of the Premier and the Attorney General (Mr. Scott) and their advisers. We must involve many more people.

1730

Recommendation 3 is "that the new standing committee on constitutional and intergovernmental affairs begin the investigation of the following issues...multiculturalism; the charter and equality rights; aboriginal rights; minority-language rights; and the constitutional status of the Yukon and Northwest Territories."

That identifies some of the problems and imperfections, if you like, that we still see will be in our Constitution. Let me say that our Constitution will always have imperfections in it. It will never be a perfect document. I doubt any one individual will say, "I think the document is perfect in every clause and every aspect." It will be impossible that in every jurisdiction everybody will agree on that.

There are some imperfections that we think Ontario should begin addressing. Are they major enough that the members should not ratify this accord? We do not think so. We think this accord improves upon a number of imperfections that are already there. Bringing Quebec into the Constitution surely improves the chances that they will be able to make future amendments.

Recommendation 4: "The committee recommends that the province of Ontario continue to preserve and promote the rights of Franco-Ontarians."

I think that is an important recommendation from the committee. I do not think it has a lot to do with whether you approve or do not approve of Meech Lake itself. But it is a statement that the all-party members of the committee made, that in Ontario we should be promoting the rights of our minority-language group of Franco-Ontarians, that we have promoted those rights for a great number of years and that the rights Franco-Ontarians now enjoy and at times take for granted, I think, are rights francophones do not

have in other provinces yet. So we recommend that the province continue.

I do not see a problem with Senate reform. Some will argue long and loud that they are going to vote against this because of some great change in how senators are appointed. I do not see any great change. There is always consultation. I think most of us—at least I hope most of us—would support Senate reform in a meaningful way. The process that has been put in place formalizes some input from the provinces.

We do make a recommendation, though, that the governments of the Yukon and the Northwest Territories have a right to submit names. I would hope that the government of Canada would acknowledge that. In any event, our committee recommends that.

Similarly, I do not have any difficulty with how our judges are appointed. Some have said, “Why should provinces be involved in appointing judges?” It is because this country has evolved on the basis of, and a large part of our Constitution deals with this, how the federal government and the provincial governments interact. A lot of this Constitution is about federal powers versus provincial powers, so of course the provinces should have a say. We make recommendations to get wider and broader public opinion into suggesting candidates for judges. I think all of that is very positive and good, and we recommend Ontario get on with that.

There were a number of discussions about the words “national objectives.” Let me associate my remarks with those of the member for Hamilton West. I do not see a difficulty with the term “objectives,” particularly when you realize that we are dealing with areas of exclusive provincial jurisdiction.

Some groups came before us and said that the federal government should be able to do whatever it wants; it should be able to have a national program in whatever. Well, since it is the provinces’ jurisdiction to deliver those programs, is it unreasonable that the provinces have some say in how that program is going to be delivered? I do not want to get into all the specifics of it, but I think most of those arguments are red herrings if that is the reason they are not in favour of the accord.

The Charter of Rights and Freedoms, we felt and I felt, is the area that is the most flawed, if you like, if this document is flawed. I think probably half the groups that appeared before us talked about women’s rights: Are they affected by section 16 being in the Constitution? Does that

create a hierarchy of rights that affects their Charter rights? Particularly, they were concerned about the equality rights for women. I guess the opinion was split about 50-50, whether it did or whether it did not. Certainly, the 10 first ministers and the Prime Minister of Canada and the advice they have been getting is that it does not.

I think they are probably right. But I am not a constitutional expert and I am not 100 per cent certain. That is why we moved two or three things in committee. The first one, that is part of our minority report, is that a reference be sent to the court to ask the courts to determine if any of the charter rights are affected by section 16. I think that should be done. I cannot see that hurting anything. This Legislature is saying it approves of the accord, it approves of the changes. We are serving notice that we have a concern.

Mr. Miller: This is the highest court, right here.

Mr. R. F. Johnston: I wish it were true.

Mr. Miller: It is true.

Mr. Harris: Well, the member says—where is that turkey from?

Mr. R. F. Johnston: Scarborough West.

Mr. Harris: Scarborough West. No, not that one. Yes, the other one.

Mr. R. F. Johnston: The other turkey?

Mr. Harris: Not that one. I do not know. It does not matter. I will attempt to ignore it, Mr. Speaker; I know the decorum you set for this House is of a standard higher than some who occupy the chair, and I concur with it and I withdraw the comment.

This is no longer the highest court in the land, as the member for Scarborough West has pointed out. By virtue of our charter and our Constitution, we have given that to the Supreme Court of Canada.

Where was I in making such a cogent argument? In my view, it should be that sending this off for a court reference can hurt nothing. If all the experts are right, if the Attorney General is right, if the Premier is right, those who argue there is no problem, then there will be no problem with the court reference. If in fact they are wrong, I think they would want to know that; I am satisfied that if they are wrong, the matter politically will not be able to go unaddressed by any Legislature or by the government of Canada.

That was our first choice. That was not acceptable to the government. For the life of me, I still do not understand why. I know the

Attorney General has said, "I don't think the court reference is appropriate for the Supreme Court, the way it's worded." There are a number of lawyers who think it is appropriate. If you sent it on to the Supreme Court and it came back and said it is inappropriate, so it said it is inappropriate; you tried. For the life of me, I fail to see what they are afraid of.

1740

The second thing we felt should be done if that was not going to be accepted was two very firm companion resolutions that would make changes to the accord, make changes to the Constitution, one on multiculturalism and one on native rights, and we did that specifically.

I note that Mary Eberts has written, in response to our report—I do not know whether the chairman referred to it—that she was disappointed that in our report and in our recommendations—and there is in the main body of the report something similar to what we proposed, but it was not precise. Mary Eberts expressed concern that we talked about the multicultural heritage of Canada and of the aboriginal peoples as a fundamental characteristic of Canada but made no specific mention of the commitment to sex equality.

The resolution that is in the main body of the report, in my view, ought to have gone further and said, "If you will make these changes to the accord and include the multicultural heritage of Canada and a recognition of the aboriginal peoples as a fundamental characteristic of Canada, you can remove section 16 from the accord." There ought not to be any question of any hierarchy of rights or any threat to the charter and those rights that were there.

In my view, had the companion resolutions put forward by the member for Parry Sound (Mr. Eves) and myself been accepted in that way, they could have sent that signal forward. We say in our minority report that we think those two amendments can be made as we drafted them, and further, that if they are acceptable and the amendments are made, section 16 can then be stricken from the accord to solve that argument once and for all.

Those are the key problems in the accord, in my view.

I support this report, particularly with the minority report that was put into it. I then have to ask myself: "You did not accept my call for a court reference. You did not accept the precision of the amendments that we proposed to go along in a companion way. What do I do then with the accord itself?" The last recommendation of the

report is that this Legislature adopt the accord, essentially unamended. I guess I have to ask myself about my uncertainty over whether equality rights are affected or not; what is the likelihood of that occurring? Really, we are dealing primarily with women's rights in Quebec, where the likelihood of that occurring, as has been pointed out by the member for Hamilton West, does not appear likely, because it has generally led the country in equality rights of the sexes.

I guess more important than that, though, I have to ask myself, "Should a court at some point find that equality rights or other charter rights are derogated from by section 16 in this Constitution, will there be a Prime Minister of that day or a Premier of that day who will be able to allow that situation to go unamended?" In my view, there will not be. In my view, no Prime Minister, no Premier in this country of Canada would be able to allow to carry on, unamended, a Constitution that a court had found an aspect of takes away from equality rights. I had to ask myself that. I have come to that conclusion.

I have indicated to members the miracle that I think took place at Meech Lake. I have indicated to members that it was the Quebec round. I know my vote will be for adoption of the Meech Lake accord. I think as well that my vote will be for the vision of Canada that the 10 premiers and the Prime Minister signed at Meech Lake. I accept that. As Canada 200 years ago and 100 years ago and 50 years ago and Canada today, I think it is a good reflection of where Canada is at.

I ask all members of my caucus and indeed of the other caucuses, to really reflect on this matter before they vote for or against this accord. I say that because sometimes it is easy to vote knowing well my vote does not matter anyway, so I can register a concern by voting against this, secure in the knowledge that it is going to carry. In my view, the Constitution of Canada is a little different from most of the types of things we vote on.

I think members should really reflect before they vote and treat their vote as if it were the deciding vote in this Legislature. That is the way I am treating my vote. That is why I will be voting in favour of both the report and ratification by this Legislature of the accord.

Mr. Offer: In rising to speak on this motion in this debate, I indicate at the outset that I consider myself to be both fortunate and privileged to have been selected as a member of the select committee on constitutional reform.

I say this because, as the hearings and deliberations of the committee continued, I, and I suspect all members, realized quite quickly that we were not dealing simply with a piece of legislation on a particular matter but rather dealing with the framework of fundamental values against which all pieces of legislation at all levels of government in all provinces shall be measured.

I think it most appropriate at this time to congratulate the chairman of this committee for the work done by him in making the committee as open and as accessible to the people of this province as possible and also to all of the members of the committee. I was very privileged and fortunate to have worked with 10 other persons who grappled with issues of great complexity and of great contention, working out in their minds how best this report ought to be phrased and framed and the types of questions to be posed. It was indeed an experience which I shall certainly treasure personally for ever.

As the hearings proceeded, as I indicated, we confronted issues of great complexity and serious contention. After listening to the many and various points of view on this accord, the primary question to be answered, not only as a committee but indeed as individuals, was whether we would recommend that the accord be formally ratified by the Legislature with a view to its inclusion in our Constitution.

1750

We were fortunate to have heard from individuals and representatives of associations, some of whom came from outside this province, all appearing before the committee to share with us their opinions. Some were notable in their particular areas of expertise, and we heard historians and political scientists and certainly the lawyers and jurists. There were others, I guess, without any particular area of expertise but surely with a sincere interest and conviction as to what our Constitution should be. If there was anything that was clear through this hearing process, it was that Canadians from all walks of life increasingly care about what their Constitution says and means, what their Constitution should state and how its interpretation can affect their way of life.

We are a province and a country where people do care and do wish to express their opinions as to what the fundamental values of this nation ought to be. This committee—and I as a member of it—was privileged to have been a forum for those many persons to express their views. But as indicated earlier, the primary question was, do

we or do we not recommend formal ratification of the Meech Lake accord?

The ratification of Meech Lake is an enormously important piece of unfinished business in Canada's constitutional history, but I also believe, and I think it is important to indicate, this is not the end of constitutional reform but rather the beginning of a new round in the constitutional reform process.

This process of change is ongoing, but to make it meaningful requires Quebec to return to the constitutional table as a full and willing participant. There are other matters and there are other concerns which must be addressed in the years that lie ahead. There are the issues of the rights of aboriginal peoples, the place of the Northwest Territories and the Yukon Territory within our country and the continuing examination of what our Charter of Rights and Freedoms should be to each Canadian.

But if the basic question which we had to respond to was whether we recommend the formal ratification of the Meech Lake accord, then the most difficult and contentious issue was the question of whether the accord affects those rights founded within the Charter of Rights and Freedoms.

Most of the witnesses before the committee accepted as a basic proposition that, while section 1 of the accord, the "distinct society" clause, describes one of the fundamental characteristics of Canada—and I believe the member for Hamilton West alluded to this point—it surely was not exhaustive. This very basic idea seems implicit in the text of section 1 itself, which speaks of "a" fundamental characteristic of Canada, as opposed to "the" fundamental characteristic of Canada. This suggests that there are other aspects of the Canadian identity which are fundamental to our nationhood.

It is of crucial importance that the reference to English- and French-speaking Canadians should not be taken as a denial of the significance of the multicultural heritage of Canada or of the fundamental place of aboriginal peoples in our national evolution. It is important that the message which will ring out in the event of ratification of this accord is not that constitutional reform has ended and that those issues which were brought to the committee will remain unanswered, but rather that formal ratification completes a single round of reform and another round is to begin, dealing with not only the recognition of aboriginal persons and the multicultural heritage of our country constituting a fundamental characteristic of Canada but also, as

stated in the report, the recognition that the commitment to the protection and guarantee of the rights and freedoms of all Canadians also constitutes a fundamental characteristic of Canada.

The strength of our Constitution shall be its ongoing review, its ongoing analysis, its ongoing examination. It continues to be the framework which best illustrates, best sets out what are the fundamental characteristics of this country. I believe that this accord entrenches such an ongoing review and guarantees such an ongoing analysis and examination. But as we proceeded in discussing this very difficult issue, the question did arise, and it has been brought forward by the member for Nipissing (Mr. Harris), of whether the interrelationship of the accord and the Charter of Rights and Freedoms should be referred to the Court of Appeal for a constitutional opinion.

I would like to take a moment to indicate why I believe such a referral is neither feasible nor desirable. Courts are not asked to write general essays on areas of the law or to answer abstract questions; instead, courts, I believe, are asked to pronounce upon particular pieces of legislation or other proposals and to determine whether or not there is legal authority to proceed in a defined manner.

The present situation, the one that we are debating today, can be contrasted with the patriation reference in 1981. In 1981, the federal government proposed to enact an amendment to the Constitution of Canada in order to add a Charter of Rights and also to provide for a domestic amending formula. In that particular case, the courts were not asked to offer an opinion as to the meaning of the Charter of Rights or the proposed amending formula; instead, in that case the courts were asked whether the proposed amendment was unconstitutional, either because it violated the constitutional convention or because it violated some other constitutional rule.

Because the question was framed in this narrow way, it was ruled to be judiciable by the court. What the court was being asked to decide was whether there was constitutional authority to proceed with a particular amendment and not what that particular amendment might mean. In the case of the Meech Lake accord, however, the question is not whether the federal government has the legal authority to proceed with the constitutional amendment. What is being sought here is an opinion as to the interpretation of particular constitutional provisions. For some, it

might be thought that this difficulty might be overcome if a particular factual situation were framed for the court and the court was asked to comment upon that particular factual situation in the light of the "distinct society" clause.

I believe that by framing the question in the context of some particular factual situation, the reference would not meet the purpose for which it has initially been requested because, as we went through those hearings, the purpose for which people asked for a reference, I think, can fairly be said to be that they wanted a certainty.

I believe that the political branches of government are the ones that are charged with the responsibility of enacting constitutional amendments. It is our responsibility as legislators, not that of the courts, to determine whether or not a constitutional amendment is appropriate and desirable. It is for these reasons that I believe a reference to the Court of Appeal on Meech Lake is neither feasible nor desirable.

Without ratification of this accord, without bringing Quebec into the constitutional family in a very real and factual sense, the ongoing constitutional reform process envisaged and provided for by this accord would fail.

It was last week when this report was issued and when it was, many different emotions swept over me. It is very difficult to really verbalize what they are, because I do agree with what the member for Nipissing said when he talked about this country as not being a single person's vision. This country is composed of many people with different visions of what they believe this country can and ought to be. But what is more important is that all these visions are able to live harmoniously with one another; yes, some are able to live more harmoniously than others, but none the less they do stand side by side where one does not predominate over another.

I believe that our nation's Constitution and our nation's strength is that no one single vision predominates over another, but all are free to be expressed and come together in a common set of values and fundamental characteristics. I very much believe that this accord promotes such a concept. It is one that I very much support and I strongly urge all members of the Legislature to support.

1800

Hon. Mr. O'Neil: I would like to ask for unanimous consent to revert to motions.

Mr. Speaker: Do we have unanimous consent?

Agreed to.

MOTIONS

HOUSE SITTINGS

Hon. Mr. O'Neil moved that notwithstanding standing order 3, the House shall continue to meet until 9 p.m. this evening when the Speaker shall adjourn the House without motion until the next sessional day.

Motion agreed to.

Hon. Mr. O'Neil moved that notwithstanding standing order 2(a), the House shall meet from 9 a.m. until 12 noon on Wednesday, June 29, 1988, with routine proceedings at 1 p.m.

Motion agreed to.

Mr. Speaker: Now that those motions have been carried, I would like—order. It might be helpful if I informed the members that the dining room is open until 7:30 p.m.

RAPPORT,
COMITÉ SPÉCIAL DE LA
RÉFORME CONSTITUTIONNELLE
(suite)

REPORT,
SELECT COMMITTEE ON
CONSTITUTIONAL REFORM
(continued)

Mr. Speaker: Is there any further debate? The member for Lake Nipigon.

M. Pouliot: Monsieur le Président, moi aussi, comme mes collègues, je prends plaisir à prononcer quelques paroles sur la résolution concernant l'accord du lac Meech. Je devrais indiquer au début que je n'ai pas l'intention de m'attarder; nous sommes tous conscients du fait que plusieurs membres de l'Assemblée législative aimeraient avoir l'occasion de participer au débat. Nous sommes conscients aussi du fait que la plupart d'entre nous, sinon tout un chacun, pourraient le faire pendant des heures et des heures.

Permettez-moi de débiter en félicitant, comme mes prédécesseurs l'ont fait, le comité dirigé par le député de York-Nord (M. Beer), qui s'est penché sur le problème du Québec et de la constitution. Nous avons entendu les membres du Comité nous citer groupe après groupe, dans un processus ouvert mais quand même difficile, un processus axé sur un fédéralisme exécutoire. Malgré tout, les députés qui faisaient partie du Comité ont su assimiler, digérer, avec beaucoup d'intérêt, d'émotion, de passion et de patience, les données de ceux qui ont comparu devant ce Comité, et aussi nous fournir leurs recommanda-

tions après avoir écouté attentivement les présentations de tous et de chacun.

Certaines présentations étaient faites avec des réserves concernant l'égalité des sexes sous la Charte des droits et libertés, la reconnaissance du multiculturalisme comme caractéristique fondamentale du Canada et la reconnaissance des droits des autochtones, ainsi que le statut éventuel de province pour les deux territoires.

Néanmoins, chaque fois que la question fondamentale revenait sur le tapis, cette question fondamentale étant la réintégration du Québec dans la constitution, à peu près tous et chacun, presque la majorité totale, disaient: «Oui, il est temps d'y réintégrer la deuxième province en importance au Canada à l'échelle économique, à l'échelle de la population, la plus grande province à l'échelle de la géographie».

Je ne veux pas commencer à aller étape par étape concernant la contribution du Québec avant et durant les premières années de la fondation de notre pays, et depuis, en ce qui concerne la confédération. Mais vous me permettrez de dire, Monsieur le Président, comme membre de l'Assemblée législative de l'Ontario, comme citoyen canadien et aussi comme francophone originaire du Québec, où j'ai passé les 23 premières années de ma vie, qu'il m'a toujours semblé tout à fait impossible d'imaginer qu'un Canada puisse exister et progresser sans la participation active du Québec.

Moi aussi, j'ai su me pencher sur les réserves des groupes qui ont comparu devant le comité présidé par le député de York-Nord, et je me suis posé les questions suivantes: les griefs légitimes de ces organismes, de ces associations, seraient-ils mieux servis avec ou sans la participation du Québec? Je me suis dit à chaque étape que non, le progrès constitutionnel, le progrès en ce qui concerne les réformes ne serait avancé qu'avec la participation du Québec.

Permettez-moi, Monsieur le Président, de partager avec vous une expérience qui remonte à 1985, lorsqu'on m'a invité, en tant que député à l'Assemblée législative, à participer à la conférence des premiers ministres qui se tenait à Ottawa et qui concernait les autochtones. Nous savons fort bien que lors de cette conférence le Québec était présent, mais seulement à titre d'observateur. On se souviendra du nombre requis pour donner à ceux qui en ont moins, à nos premiers Canadiens et aussi nos premiers Ontariens, nos autochtones, une participation plus active. Étant donné que le Québec ne faisait pas partie du processus, le processus n'a pas évolué.

Il manquait un joueur, il manquait la participation du Québec.

Je pourrais m'étendre là-dessus et dire, en ce qui concerne la Charte — les droits de la femme, si l'on veut — que le Québec est en avant de l'Ontario; ce n'est pas de la politique partisane quand je dis que le Québec est en avant de l'Ontario. Et dans plusieurs autres domaines, la participation du Québec à la table des négociations est essentielle: que ce soit sur le plan juridique, ajoutons-y aussi l'échelle économique, la francophonie avec le Québec, avec ses 82 pour cent de francophones, avec une forte minorité anglophone, avec des conditions économiques, un potentiel à peu près semblable à celui de l'Ontario, une force de production électrique hors pair en Amérique du Nord, un avenir illimité, on comprend qu'un Canada sans le Québec ne peut pas exister.

1810

On se souviendra des débats pénibles — je parle ici des années 60 — je remets en contexte l'élection du Parti québécois au mois de novembre 1976; j'y ajoute, quatre ans plus tard, la campagne référendaire, et je termine avec celle qui a suivi le référendum. On se souviendra, de fait, du débat qui a eu lieu ici, à l'Assemblée législative de l'Ontario où, à l'unanimité, on s'est rappelé collectivement et individuellement sa responsabilité comme Canadien.

Cela, c'était en 1980; nous sommes en 1988. On se souviendra de l'échec de 1982, où plusieurs provinces avaient bénéficié du rapatriement. On se souvient aussi du matin de l'entente, de la situation quand même triste de la famille canadienne. On s'en souvient pour ceux qui n'avaient pas, comme nous, regardé le téléviseur et vu René Lévesque, alors premier ministre du Québec, qui disait: «Monsieur le Président de l'Assemblée», présidée par Pierre Elliott Trudeau, qui était alors le premier ministre, «encore une fois le Québec est seul».

Aujourd'hui et demain, nous aurons l'occasion, dans cette Assemblée, de dire à nos concitoyens, à nos frères et à nos soeurs du Québec, que chez nous, nous les invitons à se sentir chez eux; qu'enfin et pour toujours, ils peuvent faire partie, nous les invitons à faire partie de la famille canadienne.

Il est grand temps aussi de fournir les mêmes énergies constructives qui amèneront sans doute à une fin positive le débat qui va culminer à l'accord du lac Meech, pour permettre à ces énergies de résoudre des problèmes qui, autrement, ne pourraient pas être résolus; ne pourraient pas, à cause de l'ombrage, à cause du fait

que tant que le Québec n'adhérera pas à la constitution, il est bien entendu que nos énergies y seront dirigées.

Monsieur le Président, j'ai pris peut-être trois ou quatre minutes de trop. Je ne tiens pas nécessairement, vous allez me comprendre, à m'en excuser. Mes ancêtres sont arrivés sur l'île d'Orléans en 1627. Certains de mes collègues diront: «C'était là la première erreur».

Vous savez, Monsieur le Président, chez nous on a quand même l'habileté à survivre. Nous sommes très sensibles, très émotifs; ça fait partie du caractère du Canada. Si mes collègues semblent un peu farineux et nous, un peu émotifs, admettons que le Canada anglais, c'est la farine, la base, et que nous, nous sommes l'épice, et puis qu'ensemble nous pouvons bâtir un avenir qui sera meilleur pour tous.

J'ai voulu conclure sur une note humoristique. Cela me fait plaisir d'avoir dit quelques mots. Mais plus significatif, plus important, c'est le fait que demain, avec la majorité de mes collègues — en respectant ceux qui, pour des raisons sincères, substantielles, rationnelles, choisiront non d'être moins patriotes, non de rejeter le Québec mais peut-être d'exprimer une opinion contraire — moi, humblement, l'un des 130, je serai ici, ensemble avec les autres députés, comme un soldat à son poste, pour dire oui au Québec et oui au Canada.

Je vous remercie, Monsieur le Président.

Mr. Jackson: It is with a great sense of the historic significance of this debate that I rise to address the resolution of the Premier (Mr. Peterson).

The motion touches on a matter far more important than most of our day-to-day work in this chamber. We are not being asked here to pass a new law, a statute which can be amended or replaced by a simple majority of this House. Rather, the Meech Lake accord seeks to change the nation's Constitution.

While we may feel that constitutions should be ever changing and ever evolving, the Meech Lake process shows that they can be amended only with great difficulty, if at all. We must remember that what Meech Lake does cannot easily be undone. For this reason, we cannot afford to be casual about its flaws and its shortcomings. If perceived defects are in fact real, they may haunt Canadians for years, and perhaps even lifetimes.

The creation of constitutions is by no means an exact science. Perfection is elusive; compromise commonplace. But these facts do not relieve Ontario legislators of the responsibility to ensure

that constitutional provisions are positive ones that serve the interests of all Canadians. Should any constitutional amendment fail this strict test, we are duty bound to oppose it.

The Constitution Act, 1982, makes the Constitution "the supreme law of Canada." This is no ordinary bill. The supreme law of Canada is before us in this chamber. For this reason, I am treating this resolution as the most important matter that I have ever been called upon to debate during my career as an MPP. I suggest that other members should look upon the accord in a similar light.

If we are going to endorse these changes to the supreme law of Canada, our Constitution, then we cannot do so blindly, simply because the Premier or the select committee so recommends. An MPP can only support this resolution if, after reading and understanding the accord, he or she arrives at a personal conclusion that the amendments serve the best interests of all Canadians.

For my part, having studied the accord and examined the comments of concerned Canadians, I am unable to do so. I cannot in good conscience vote for the Meech Lake accord, because in my opinion it threatens many of the constitutional rights and freedoms that women and other Canadians first won in 1982.

These concerns, so eloquently expressed by women's groups, multicultural organizations and individual Canadians, not only before our committee but also before the joint committee in Ottawa, revolve around the combined effect of sections 1 and 16 of this accord. If these sections, which deal with Quebec's recognition as a "distinct society" and with recognition of linguistic duality as "a fundamental characteristic of Canada," will allow governments to override charter rights and freedoms, then this is a dangerous document.

The problem is not that the accord gives insufficient protection to women and minority groups. Rather, it removes protections they already have.

1820

The Premier says section 1 will do no such thing, but this assurance is difficult to reconcile. If the "distinct society" clause is meaningless, then why was it introduced in the first place? If the clause has no impact, why does Quebec Premier Robert Bourassa claim the opposite?

I urge all members to consider Mr. Bourassa's statement to the National Assembly on June 18, 1987, in the Journal of Debates at page 8708, that the accord will take precedence over charter rights. He said, "Il faut souligner que toute la

constitution, y compris la Charte, sera interprétée et appliquée à la lumière de cet article sur la société distincte." In translation, he said, "It must be emphasized that the entire Constitution, including the charter, will be interpreted and applied in the light of this 'distinct society' clause."

The Premier of Ontario says the charter is untouched, while Premier Bourassa says the exact opposite. On a matter as serious as this, with rights and freedoms at stake, I do not see how we can endorse the accord until we know which Liberal Premier is right and which Liberal Premier is wrong. Charter rights cannot be left in limbo until, years from now, the Supreme Court of Canada rules on this matter. It would be a gross abdication of responsibility to rubber-stamp the accord without having a clue as to what it really means.

Granted, as legislators we know that all our laws are subject to the final interpretation of the courts, yet we cannot be lax in employing language that is as precise as possible in order to give effect to our clear intent. Sections 1 and 16 do not reflect this care and precision.

Some supporters claim that section 1 is merely an interpretative provision. I challenge them to show where this is actually stated. Looking at section 2, we see that the words "shall be interpreted in a manner consistent with" apply only to subsection 1 but not to subsections 2 or 3. If only the first subsection is interpretative, then the parts dealing with the affirmation of roles must therefore be substantive.

Additionally, I suggest that all members take a look at subsection 4, which reads as follows, "Nothing in this section derogates from the powers, rights or privileges of Parliament or the government of Canada, or of the legislatures or governments of the provinces..."

Some people misread this to mean that the "distinct society" clause does not alter legislative power. Even our select committee on constitutional reform, on page 13 of its report, misreads it, calling the subsection "a statement that existing legislative powers are not affected."

"Derogate" does not mean "alter"; it means "reduce" or "take away from." This subsection says that the "distinct society" clause does not reduce government powers, but it leaves the door open to an increase in provincial or federal power through new limits on individual rights and freedoms under the charter.

Mary Eberts, legal counsel to the Ad Hoc Committee of Women on the Constitution, had this to say about this choice of language: "It is

interesting to note...that there is nothing in the second section comparable to the provisions of the charter which says nothing in it adds to the power of the government. There is a [floor], but there is no ceiling. When it comes to interpreting the meaning of proposed section 2 and the force of its interpretative strength, I think someone will argue it is significant there is no cap on the power of government in the proposed section 2."

Critics are not the only ones to take notice. Premier Bourassa himself admitted the same thing by saying, "If you used the term 'derogate,' you would protect existing powers and could gain additional others"—"others" meaning powers.

There is not one supporter of the accord who can explain why this clause was worded so that it shuts the door on any loss of state power, but leaves the door open to further encroachments on individual rights. If the charter is not to be affected, then why does subsection 4 not say that "nothing in this section derogates from or increases any of the powers," etc.? Why not accept that simple change to make everything abundantly clear?

Suppose the "distinct society" clause does not override the charter. Suppose it is only a guide to interpretation. We must still proceed with caution. Even as an interpretative tool, the accord would have a great effect on individual rights and freedoms. Not only critics are saying this; supporters are admitting the same thing. Professor Peter Hogg and Professor William Lederman both say the accord will guide judges as they interpret section 1 of the charter. So does the Attorney General (Mr. Scott) at page 23 of his brief to the select committee.

Section 1 of the charter says that our rights and freedoms are subject to "reasonable limits prescribed by law." It allows courts to permit a violation of the charter if the offending Legislature or Parliament can show that the limit is a reasonable one. The "distinct society" clause, as even supporters of the accord agree, will guide our courts in their applications of section 1 of the charter.

I ask all members to consider what this means. The Attorney General is basically saying: "No, the accord will not affect the way courts construe our charter rights. It will only affect the way they set reasonable limits on those rights." In other words, Meech Lake will not tell us what free speech means but only where free speech starts and where free speech stops. To me, that is a distinction without a difference, and a dangerous one at that.

Exactly what do women's groups and other critics fear about subjugation of the charter by this accord? LEAF, the Women's Legal Education and Action Fund, suggests that the "distinct society" clause would allow governments to derogate from the equality rights in section 15 of the charter by justifying the move as an attempt to preserve and promote Quebec's distinct identity.

For example, LEAF suggests, Quebec school boards may refuse, because of cultural opinion, to provide nontraditional trade and skill training to female students. Or, given that the Quebec birth rate has fallen from 29.8 births per 1,000 in 1951 to 13.4 births per 1,000 in 1984 and that within Canada the proportion of francophones continues to decline, LEAF fears the accord might allow the government to limit reproductive choice as a means of altering the birth rate.

Alternatively, Meech Lake might allow discrimination between anglophones and francophones in areas such as medicare, tax credits, subsidized child care, even housing, in an attempt to encourage French-speaking Quebecers to raise large families.

That Quebec should be free to preserve and promote the French language is not really at issue here. The question is whether Quebec should be allowed to violate charter rights and freedoms in so doing.

It would be incorrect to suggest that only equality rights are at stake. Indeed, all charter rights could be threatened. I would be remiss here if I did not mention the right to freedom of expression and Bill 101, Quebec's Charter of the French Language.

The Supreme Court of Canada has yet to rule on the French-only sign law, but will do so in the near future. Hopefully, and most likely, the courts will say that the law violates the right to freedom of expression and that the violation does not qualify as a "reasonable limit."

1830

Suppose now that the Meech Lake accord is passed and suppose that the Quebec government goes back to the courts saying: "See, we have a duty to preserve and promote the distinct identity of Quebec. That's what our sign law is for. Clearly, this is a reasonable limit on the freedom of expression." Will courts allow Bill 101 to stand because of the Meech Lake accord?

This is not a fanciful proposition. The scenario I have outlined is very real and could very well take place if the accord is ratified. Can members support the accord if its effect will be to make constitutional a previously illegal French-only sign law? Can we ratify it if its impact on Bill 101

is in any way unclear? No. To do so would be a breach of our responsibility to this nation.

I would like to add one further thought on the "distinct society" clause. In my opinion, it is wrong to set one province apart by giving it special status when we have long adhered to the principle that all provinces in this country are equal. Certainly, Quebec is in many respects different from the rest, but then so is Newfoundland with its distinct dialect and customs and so is New Brunswick with its bicultural roots. In fact, each and every province in this great nation is unique, yet all 10 are equal.

We must not make the mistake of equating the province of Quebec with French-speaking Canadians. I reject the notion that this nation is divided into two Canadas, French-speaking Quebec on one side and nine English-speaking provinces on the other. Rather, I see one Canada comprised of 10 equal provinces, with anglophones, francophones and new Canadians at home in each.

The most concise explanation of this view comes from Joey Smallwood, the legendary former Liberal Premier of Newfoundland. In Peter Newman's book, *The Distemper of Our Times*, Smallwood describes on page 405 his first meeting with then Minister of Justice Trudeau: "He"—Trudeau—"said he wanted my views on the Constitution. So I told him, for Quebec—nothing. Nothing. I don't mean almost nothing. I mean nothing whatsoever. Quebec should have nothing that Prince Edward Island doesn't have—that Newfoundland doesn't have. But I said, for the French people in Canada, anywhere in Canada—everything. Everything. Everything that the English Canadians have, rights, education, everything."

Smallwood's eloquent but brief description of his vision of one Canada, French and English, spread across 10 equal provinces commends itself to our attention as we study this accord.

I now turn again to section 16 of the accord, which reads as follows, "Nothing in section 2 of the Constitution Act, 1867, affects sections 25 or 27 of the Canadian Charter of Rights and Freedoms, section 35 of the Constitution Act, 1982, or class 24 of section 91 of the Constitution Act, 1867."

In the month that separated the first ministers' meeting at Meech Lake and their adoption of the final text in the Langevin Block on Parliament Hill, a decision was made to protect certain parts of the charter from the "distinct society" clause. But if the Premier was right when he said no rights are threatened by the accord, why is this

section even necessary? And if the section is necessary to protect our rights and freedoms, what happens to those rights not specifically exempted?

I am not a lawyer, but I understand there exists an old legal principle to this effect: to include one thing is to exclude all others. Multicultural and aboriginal rights are included under the protection of section 16. Does this mean that section 15 equality rights, the right to freedom of expression and all other rights in the charter, are automatically excluded from that protection?

Supporters of the accord deny this. They say that section 16 deals with interpretative portions of the charter only, not substantive rights, because section 2 is interpretative only. As I said earlier, it is by no means clear that section 2 is merely interpretative, but even if it is, I do not find this explanation of section 16 very satisfactory.

To begin with, it is wrong to say that section 16 does not deal with any substantive matters. Of course it does. Class 24 of section 91 of the Constitution Act, 1867, is a substantive provision, and it is protected in section 16. Furthermore, we are deceiving ourselves if we think that substantive rights are immune from interpretation. Courts will use the accord as an interpretative aid in determining whether a limit is "reasonable" and "demonstrably justified" under section 1 of the charter. That is not an impact on the substantive right itself, but the effect is clearly the same.

The first ministers have said, in effect, "Look, these four rights are exempt from the 'distinct society' clause, but all others are not." The Premier and his colleagues have established a two-tiered hierarchy of rights, with equality rights and basic liberties and freedoms resting on the bottom rung. This view is shared by almost all women's groups which have come forward to speak on the accord, along with many other critics. Perhaps the best articulation of this fear was made by Dalhousie law professor Donald MacKay before the joint committee in Ottawa. MacKay summed up the problem with section 16 in just two words, calling it "dangerously uninclusive."

Groups like the ad hoc committee of women on the Constitution, the Women's Legal Education and Action Fund, the Metro Action Committee on Public Violence against Women and Children, the Canadian Coalition on the Constitution, even the Liberal Women's Perspective Advisory Committee, have been unanimous in calling for the protection of charter rights. Sadly,

so far, no provincial Legislature has been willing to support their crusade. Will Ontario legislators abandon them also?

I support the select committee's call for amendments to the accord, though I suggest these do not go far enough. Personally, I believe that the simplest, safest and most effective way to protect the individual rights and freedoms we won in 1982 is to delete the words, "Section 25 or 27 of" in section 16, so that it will clearly and forcefully declare, "Nothing in section 2 of the Constitution Act, 1867, affects the Canadian Charter of Rights and Freedoms."

I also support my colleagues the member for Nipissing and the member for Parry Sound (Mr. Eves) in their call for a court reference on this issue. Politicians, indeed all Canadians, need to know what we are getting into before we vote. With due respect for the members of the select committee, I find that I cannot support their call for the accord to be ratified as is. I submit that if we have legitimate and serious concerns about the effect of this resolution on our charter, then the time to deal with these concerns is right now, not after the accord becomes law.

At the outset of my remarks, I mentioned how difficult it is to amend the Constitution. If we adopt Meech Lake, there is absolutely no guarantee that future amendments to protect the charter will ever be passed. If they are not passed, we will be stuck with provisions in our Constitution which cut a gaping hole in the Charter of Rights and Freedoms.

Quite simply, I do not think we should be taking chances with the individual rights and freedoms of Canadians. There are those who would claim that the benefits of the accord far outweigh these drawbacks. I cannot agree. There is nothing, not a single thing, which to me is worth jeopardizing for the charter. The price is too great and the benefit too small.

Indeed, what is this so-called benefit? The Premier says it is the fact that Quebec has now signed the 1982 Constitution. This is a noble achievement, but is it being obtained at too high a cost? Despite René Lévesque's isolation in 1981, the fact is that, right now, Quebec is bound by the Constitution and by our charter. Symbolic agreement is lacking, but Quebec is still bound by the charter. The Meech Lake accord obtains the missing and symbolic agreement only by relaxing the charter's grip on that province. Right now in Quebec the charter is symbolically unaccepted, but still it is enforced.

Meech Lake allows the charter to be symbolically accepted by Quebec, but in reality it

weakens it. Given those two options, I cannot help but choose the status quo in this country. The integrity of the charter is far more important than Quebec's signature, as welcome as that signature may be.

1840

Members of this House must realize that we cannot have it both ways. We cannot both ratify the accord as is and still change it. Those who say we will support it now and change it later know full well that Quebec may never accept the changes and know full well that the threat to the charter may never be removed. To take this attitude is to play politics with our Constitution and to play politics with the Charter of Rights and Freedoms. That is completely unacceptable.

Yves Fortier, former president of the Canadian Bar Association, when he appeared before the joint committee in Ottawa, said any attempt to declare that the "distinct society" clause would not affect the charter would "kill" the Meech Lake accord. I think it is pretty clear, given this comment and given statements made by Premier Bourassa and Gil Rémillard of Quebec, that Quebec will never accept an amendment to protect the charter from its "distinct society" clause. If that is the case, how can we in good conscience ever say that we will pass it now and amend it later?

To borrow a metaphor, the ball is now in our court. Ontario's support is needed if the accord is to be ratified. With strong leadership and a commitment to the women and the minorities of Canada, we could say: "No. Protect charter rights or we will not ratify." Instead we are being asked to pass this resolution without even a whimper of dissent.

Then, after Ontario has given away its trump card, after we have nothing left with which to bargain, we are supposed to try to make these changes. Everyone in this chamber knows that that simply will not work. As they say, "marry in haste, repent at leisure." If we accept this threat to the charter without amendment, we ourselves and generations to come will have decades to regret the consequences. If, on the other hand, we choose to do it right the first time, there will probably be no problems.

I can count as well as the next person. I appreciate that the result of this vote is all but preordained. Yet despite the writing on the wall, I do not hesitate to stand in this chamber and announce that I will be voting against the resolution. On matters of conscience, it is traditional that members be given the freedom to follow their inner direction. The Charter of

Rights for me is a matter of conscience. No matter what is done by those around me, I would be unable to sleep if I voted to jeopardize our fundamental rights and freedoms.

John Turner says that the Meech Lake opponents are on the "wrong side of history." I believe nothing could be farther from the truth. The former Prime Minister has confused "winning and losing" with "right and wrong." No matter what the result of the final vote is, I believe that one can never be on the wrong side of history if one stands up for individual rights, if one stands up for the charter and if one stands alone to follow one's conscience.

In closing, let me say that I am mindful of the advice given years ago by Lord Sankey of the Imperial Privy Council when he said that the Canadian Constitution is like a "living tree capable of growth and expansion within natural limits." I understand that the Meech Lake process reflects a document that is dynamic and evolving, but if our Constitution is a living tree, let us not hasten its growth by pruning away the Charter of Rights.

I cannot support that. Just as I respect the fact that the other members of this House have different views, I ask them to respect mine. While I, too, welcome the day when Quebec signs our Constitution with honour and with enthusiasm, I want that Constitution to contain a Charter of Rights which provides strong protection of individual rights and freedoms for all Canadians without distinction. Meech Lake wipes out that protection.

As we vote on the accord, I say yes to one Canada, yes to this charter and yes to the constitutional rights of women, minorities and other individuals. Unfortunately, I can only say "yes" to those things by saying "no" to Meech Lake. At home with my constituents and at peace with my conscience, I will be voting against this resolution.

Mr. Miller: It gives me great pleasure to rise today and to take part in this important debate. I have been a member since 1975 and I would like to recall that back in 1980, I believe, the Constitution being brought home to Canada was one of the milestones. That we have been able to keep Canada together as one country has been one of the contributions that in our small way we have been able to make.

I think it was on May 8, at just about 5:30 p.m., that we were able to participate in the debate on the Quebec referendum. At that time, the House was sitting in the evening and we would sit from 8 o'clock until 10:30. It is kind of

ironic that tonight, in order to go one step further in the Meech Lake accord, we are sitting after hours so that everyone has the opportunity to participate.

I would like to pay tribute to the chairman of the select committee that was established to deal with the Meech Lake accord. It is ironic, too, that the chairman, who is the member for York North (Mr. Beer) was on our research team at that time—I think it went back as far as 1977—and he played a significant role as we developed the policies and the direction that the province should go. Now he is the chairman of that committee. I would like to congratulate him and also the other members of the committee who worked so hard.

The previous speaker has taken a hard line on the issue of the accord, but I would have to disagree with him. I think one Canada is important. I think we have to share and Ontario has done that with our friends from Quebec. The Canadian Constitution, as we all know, was brought home to Canada in 1982, along with the Charter of Rights and Freedoms. This was an event of fundamental importance in the history of Canada; yet the event was marred by the lack of participation on the part of Quebec.

The inclusion of Quebec within the federation has been a constitutional priority since that time. This goal was achieved in 1987 as a result of an agreement reached by the Prime Minister and the 10 premiers, including the Premier of Quebec.

I would like to also comment at this time on the fact that our Premier played a leading role, along with the Attorney General (Mr. Scott), in bringing this agreement about, and I think they deserve much credit for their participation. It is this agreement, the Meech Lake accord, that we are debating today. In preparing for this debate, I was reminded of a previous debate in this House, just over eight years ago in May 1980, on the resolution regarding the Ontario government's position on the issue of sovereignty-association in Quebec.

During this sovereignty-association debate, I asked myself, can I contribute to a debate of this kind on a question which is so crucial to every Canadian? I said then, and I still feel, that we all have to try. We all have to do whatever we can to preserve and protect this country which we all love. The people of Quebec are as much my fellow Canadians as are the people of Ontario. I care as much about them and their future as I care about the people elsewhere in this country. I am proud of every inch of Canada, from the Maritimes to British Columbia.

I have had the good fortune to have travelled from coast to coast in Canada and, no matter where I have travelled, I have always felt a kinship with the people, a sense of being at home. We are, after all, Canadians, whatever our ethnic origins, whatever our mother tongue. We are all in this thing together and it is up to us, to all of us, to make this country the great place it was always intended to be.

1850

The member for Lake Nipigon (Mr. Pouliot) indicated that his family established here in 1626. My grandparents came over, I believe, in about 1865 and helped hew out the forests and build the farm lands in Canada. They came from Scotland. We had the opportunity of going back three years ago, as a matter of fact, to where our grandparents came from and it was almost like going home. Still, when we got back, Canada is our home and our country and we want to make sure we keep it that way.

I am not bilingual. We have had the opportunity of spending time in Quebec. We cannot communicate totally but we always felt welcome and it is just like going to another country within our own boundaries. In 1980, I asked how we can reach out to these people and how we can make them understand how we feel and how we can convince them that we want them to stay on as an integral part of our Canadian family. I am referring to Quebec; that was the Quebec referendum we were debating.

I believe the Meech Lake accord answers these questions. I believe the Meech Lake accord reaches out to the people of Quebec and welcomes them back. Nearly two weeks after I stood in this House and asked those questions, the people of Quebec voted no to sovereignty-association. The rest of Canada promised that, in response to a no vote, the federal government and the other provinces would initiate constitutional reform to address the concerns of Quebec within what was referred to as renewed federalism.

But the constitutional settlement of 1982 did not address Quebec's historic concern: equality rights. Multiculturalism, aboriginal rights and minority-language education were subsequently given constitutional recognition. Only Quebec's concerns were left out in 1982.

The Meech Lake accord answers those concerns by beginning a process of reconciliation which will be continued in future first ministers' conferences. While reading the Hansard records of those debates in May 1980, I was moved by the sense of heartfelt concern for our country in

the words of the many members who participated.

Some of those members, I am pleased to note, still sit in this chamber today. It struck me that the debate today and the debate of eight years ago have important similarities. Again, we are examining the essence of a Canadian experience. The Canadians have a history of finding solutions to difficult problems by discussion and consensus.

In discussions within our own caucus about multiculturalism, which we are so concerned about, and keeping that identity—I represent the riding of Norfolk which perhaps has as many multicultural societies as any place in Canada. We have Delhi, with people who came over from the time Canada was formed. During the early 1900s, many came over to develop our tobacco area. There were Hungarians, Belgians, Germans. You name it, we have it: the Hungarian hall, the Belgian hall, the Polish hall.

Even one of our young pages here today, Brett Kilian, whose grandfather came and established a tobacco farm in that area and helped to develop it, is part of our heritage. We do not feel he is a Belgian. I do not feel I am a Scotsman. I feel I am a Canadian. I think that is the important thing. That is what makes Canada so great, that we consider ourselves Canadians.

Again, we are examining the essence of Canadian experience. We Canadians have a history of finding solutions to difficult problems by discussion and consensus. It was through discussion and consensus that Canada became a nation in 1867. It was by discussion and consensus that our Constitution was brought home to Canada, along with the Charter of Rights and Freedoms. It is by discussion and consensus that the Meech Lake accord will bring Quebec back into the Canadian constitutional mainstream.

There are, of course, critics of the Meech Lake accord. Honest criticism is the hallmark of what makes a Canadian experience work. I understand and respect their concerns. I would point out to them, however, that this accord does not represent the end of constitutional reform in Canada. On the contrary, it is an important beginning; the beginning of full participation by all of Canada's provinces and the federal government in the future of this nation.

We are a nation which was built on the foundation of two languages and cultures. The Meech Lake accord recognizes the duality by entrenching it in the Constitution. The accord recognizes the distinct society of Quebec as an

integral part of the Canadian experience. Quebec is distinct. It is distinct in its language, its culture and its legal system. This is a historical fact which is not now constitutionally recognized.

But the Meech Lake accord does not stop there. It goes on to recognize that included in the distinct identity of Quebec is the existence of its anglophone minority and that part of what defines the rest of Canada is the French presence outside Quebec. This unique Canadian duality is defined in the accord as a fundamental characteristic of Canada.

One other important aspect of the Meech Lake accord I would like to comment on is the long-standing concern which has been often expressed throughout Canada about the appointment of Supreme Court judges and senators. These concerns remained largely unanswered until the Meech Lake accord of 1987.

Despite some of the things we have read on this issue, the accord is not a radical departure from much of the current national debate on Senate reform and balanced representation on the Supreme Court of Canada. For many years we have been hearing about the inequities of our system of appointing Supreme Court judges and the lack of provincial participation in the appointment of senators.

Given the increased national profile of the Senate and the duty of the Supreme Court to interpret the Constitution as it applies to the Canadian people, a balanced approach to provincial participation in the makeup of these two important Canadian institutions was called for. The Meech Lake accord reaches a balance of allowing the provinces to nominate Supreme Court judges and senators but retains the right of federal governments to make the final determination.

In closing, I am reminded of a story about the first national banquet of the St. Jean Baptiste Society of Quebec, at which one of the founding members referred to the maple leaf, considered to be the symbol of Canadian people. He said:

"This tree, the maple, which grows in our valleys, at first young and beaten by the storm, pines away painfully, feeding itself from the earth, but it soon springs up tall and strong and faces the tempest and triumphs over the wind, which cannot shake it any more. The maple is the king of the forest. It is the symbol of the Canadian people."

Those words, spoken nearly a century and a half ago, reflect the Canadian experience almost prophetically. When it was young, Canada was beaten by the storm, a storm of linguistic and

cultural duality and a storm of differences in vision and political approach. Those winds still blow, but Canada has grown stronger. Canada has grown by returning to its roots, feeding from the earth as we, as a nation, got down to the basics and recognized the importance of coming to terms with one another.

I think that is the heritage I want to leave to my children and my grandchildren. I believe we must continue to grow stronger in unity and understanding, as we have done for more than two centuries. We must continue to live side by side in political associations which make all of us, and Canada, stand strong in the face of many storms which are sure to come.

I urge all members to consider that, whatever their concerns with the Meech Lake accord may be, they can be overcome. I urge the members to consider the paramount importance of facing those concerns as a nation united.

I would like to close my remarks, as I closed them in 1980, by reminding this House that what we have done for ourselves dies with us, but what we have done for others and for the world remains and is immortal. Ratification of the Meech Lake accord is something we can do for others; for our children and grandchildren. It is something we can do for Canada, something we can do for history.

1900

Mr. Morin: I have come before members today to talk about a promise, a promise we have not yet kept, and about a healing that will only occur once we have kept it. Those are the two images that have struck me again and again as I have listened to the witnesses at our committee meetings, the image of a promise unkept, a debt unpaid, and the image of a healing, of the closing of a festering wound.

In the short time I have to speak to members today, I cannot touch upon all aspects of the accord, so I have decided to talk about Quebec. It is the recognition of Quebec as a distinct society that is the accord's *raison d'être*. It is also this aspect of the accord that has provoked more controversy than any other and it is the one closest to my heart.

Members might think it is because of my French Canadian background that I have such an intense interest in seeing Ontario ratify the Meech Lake accord. It is true, obviously, that I am French Canadian, but although I was born and raised in Quebec, I have lived in Ontario since 1957 and I call this province my home. It is my province.

I have straddled the worlds of both English and French Canada in my lifetime and I share a love for each and a longing to see the two fully and willingly united. I have also had the honour of serving in the armed forces where there are no French Canadians or English Canadians, only Canadians, and so it is not out of loyalty to French Canada that I stand before members today, but it is out of loyalty to Canada.

I do not speak to members because I am a French Canadian or because I am a man or because I am a Liberal; I speak to members today because I am a Canadian, nothing more, nothing less. No interest brings me here today other than love of my country.

Many of the issues arising from Meech Lake are legal ones and much of the debate is carried out in oblique legal terminology, which is difficult to follow even for a keenly interested and well-informed layman. Constitutional experts have convincingly argued many different and some opposing points of view on the Meech Lake accord. With equal conviction, protagonists on both sides of the debate paint gloomy pictures of the faltering of our nationhood if we do not heed their warnings.

Having listened to them, I know that the arguments both for and against the accord can be compelling. But even experts cannot predict the future, and it seems to me that the differences come down to very fundamental issues, a question of vision and faith, of our idea of what kind of country we want Canada to become.

The Honourable Jean-Luc Pepin made some observations in his presentation to our committee that helped me to understand the basis on which people make the decisions about Meech Lake. He pointed out first of all that the conception of Canada that one has already constructed will influence one's opinion on Meech Lake:

«Si l'on croit que le Canada est déjà amplement, voire même à outrance, diversifié et décentralisé, il est bien évident qu'on ne sera pas particulièrement favorable à l'accord du lac Meech. Deuxièmement, a dit M. Pepin, il ne fait aucun doute que notre conception du fédéralisme influencera nettement l'angle duquel on envisagera l'accord du lac Meech. D'aucuns seront satisfaits et d'autres mécontents d'un fédéralisme égalitaire plus attentif aux caractéristiques régionales, à la dualité, et beaucoup plus sympathique à l'égard de l'asymétrie que ne l'était le fédéralisme qui dominait au Canada depuis plusieurs années.

«Ce qu'on pense de l'accord du lac Meech dépend aussi beaucoup de l'opinion qu'on a de la

politique. Il est évident que l'accord du lac Meech est le fruit d'un climat beaucoup plus propice à la conciliation qu'il ne l'était auparavant, et l'opinion qu'on s'en fera dépendra aussi de l'opinion qu'on a des politiciens qui nous gouvernent présentement.»

Finally, and in my opinion most important, one's opinion on Meech Lake will depend on one's priorities. For Mr. Pepin, as for myself, the burning priority is that Quebec be brought back into the fold to ensure that Quebec willingly embraces our Constitution.

Par conséquent, dans la masse de choses, de points politiques qui méritent une analyse constitutionnelle au Canada, le retour du Québec à la table constitutionnelle est prioritaire, et il faut s'occuper de ça d'abord et avant tout.

I am sure that members are all aware of the many competing demands for constitutional reform. Some members probably are asking themselves: Why is it so important to take care of Quebec first?

The answer is that, first of all, we have to recognize that everything cannot be done at the same time. We must make a choice as to what we deal with first, and there are good reasons rooted in Canada's history why we should deal with Quebec first and bring her into the family.

Canada's history makes the convincing argument for the recognition of Quebec's distinctiveness. When George III gave royal assent to the Quebec Act in 1774, he explicitly recognized Quebec's distinctiveness by granting its citizens the right to communicate with the government in French, by allowing Catholics to hold public office and by permitting the civil law of France to continue as the law of the land.

Later on, when the Constitution Act divided Quebec into Lower Canada and Upper Canada, it conferred on Lower Canada all the characteristics given by the Quebec Act. It also added a further recognition of Quebec's distinctiveness by creating an assembly where the French language could be used and to which Catholics could be elected.

But that clear evidence of Quebec's distinctiveness was challenged after the rebellions of 1837 and 1838 by the British Parliament's Act of Union of 1841, which united the two provinces into the single province of Canada. The act provided that English only could be the language of the Canadian Parliament and it alone would have official status. That situation did not last very long.

In the words of the Honourable Jack Pickersgill, "It is one of the great glories of Canadian

history that the Parliament of the province of Canada, in which a majority of members were English speaking, insisted on the restoration of French as an official language." I do not think we should ever forget that act of statesmanship.

I would add that there have been other similar acts of statesmanship and I would remind you of just a couple. In 1763, before the Quebec Act, the British issued a proclamation whose intent was to transform Quebec into an English-speaking colony by establishing English law and representative institutions.

General James Murray, the first British governor, refused to establish the assembly since Roman Catholics were still denied the rights of citizenship and therefore would be excluded from the assembly.

General James Murray's successor, Sir Guy Carleton, initially intended to grant the wishes of the English-speaking minority, but finding himself increasingly irritated by the British colonists and attracted by the French Canadians, he advised the British government in 1772 to abandon the proclamation of 1763. He recommended a new policy, which two years later became the Quebec Act.

1910

Because French Canadian aspirations have so often been met with indifference, I would like to honour those who have spoken for Canadian unity by recognizing Quebec's distinctiveness.

We can look back more than 200 years to find precedents for recognizing the distinctiveness of Quebec, but we need to look only a few years to find the roots of the accord.

During the period leading to Quebec's 1980 referendum on sovereignty-association, the federalist forces promised that the defeat of the referendum would be followed by constitutional change designed to better accommodate Quebec's aspirations.

The agreement that was reached, which became the Constitution Act, 1982, did not satisfy that objective. It did not keep the promise made to Quebec. By giving the Charter of Rights, patriating the Constitution and creating an amending formula, the act gave some important things to Canada, but it did not make the Constitution acceptable to Quebec. Moreover, it diminished Quebec's powers of government by withdrawing its veto, and the charter of rights restricted the power of her Legislature. In the words of Dr. Peter Hogg of York University, Osgoode Hall Law School, by not having Quebec's consent, this act created a profound sense of grievance.

It is worth noting that it was not only Quebec that felt isolated. Women and native peoples believed that their rights to equality had not been adequately safeguarded, but following a massive public protest and further discussions among the premiers, women did secure what they desired, while the native peoples received part of what they wanted.

I know that some people have expressed concern that the accord may compromise the rights of women and minority groups. I would just like to say a few words to allay those fears.

A number of constitutional experts have convincingly argued that the "distinct society" clause will not infringe on women's or anyone else's rights. Dr. Peter Hogg, for example, considered that the clause lacked clarity, but he also pointed out that the conventions of constitution-making are such that the language used should be general, not specific. He argued as well that it is extremely unlikely that the clause would ever be applied in a discriminatory way.

It is important to remember that the accord provides for annual meetings of first ministers to consider future constitutional changes.

We all know that the accord is not perfect, but we should applaud it and accept it because it is good. A constitution is a living, breathing document, a reflection of a peoples' aspirations, and there will be opportunities to make further changes.

All of this is not to say that the concerns of Quebec are more important than those of anyone else. It is only to acknowledge that Quebec's concerns are important and that there are good reasons why they should be addressed now.

Many of the people who feel that the accord compromises women's or multicultural rights are overlooking something crucial, something I cannot stress enough; that is that the whole purpose of Meech Lake is essentially to resolve some of Quebec's problems. The conference was not intended to review every aspect of the Constitution; rather, its purpose was to amend the constitution of 1982 to make it acceptable to Quebec.

L'honorable M. Pickersgill souligne que le Québec a fait montre d'un grand respect envers notre appareil législatif en se soumettant à la juridiction accrue de la Cour suprême du Canada. Mais il remarque, en revanche, que le Québec a manifesté son opposition en refusant de prendre part à toute conférence concernant la constitution, et ce, jusqu'à ce que la constitution elle-même soit amendée d'une façon acceptable à son gouvernement. Cela a pour effet, ajoute

M. Pickersgill, que personne au pays ne sera jamais capable de soumettre un amendement tant et aussi longtemps que le Québec maintiendra son boycottage.

Although Quebec has been legally bound by the Constitution, her participation has been grudging. It will probably continue to be so, with reason, until we grant the simple recognition which she has sought for so long.

There are many reasons why we should ratify this accord and today I am offering the House only one of those reasons. By saying yes to Canada at the time of the referendum and by sitting down to share her point of view with us, Quebec has proven her good faith. Now it is up to us to return the gesture.

This accord is about many things but its *raison d'être* is Quebec. It offers Canada the opportunity of a new beginning. By bringing Quebec into the family, the Meech Lake accord will close a circle that has been broken for too long. It is the fulfilment of a promise for healing that will make Canada whole again.

Mr. R. F. Johnston: It is unusual for me to rise and speak in opposition to a committee's report and to find myself for the first time in my 10th year here rising to speak in opposition to my party's position on the matter of the accord. So it is a very difficult and an emotional thing for me to do.

Mr. Harris: Don't do it then.

Mr. R. F. Johnston: I thank the member for cautioning me not to do so if that is the case, but there are times when one has to do what one feels is best and one feels that one must. There are certain matters upon which any member of this House should rightfully ascertain his or her decision without all the normal constraints which are placed upon us in terms of our senses of other loyalties. I think the matter of the Constitution should be one of those times.

I am one of those people who does not see the Constitution as a dry document that is off there some place with no impact on people's lives. I see it as something which is a living thing, much of which is written and some of which is an unwritten constitution. I believe a constitution must reflect as best it can the nature of its society. I think that the worst example of a constitution which does not is the Russian constitution which, even though it has many noble words in it, has masked a society which has suppressed so much in the way of liberty and freedom of speech over the years.

This is not the first time I have addressed the issue of the Constitution in this House. In 1980 I

was a member of our first select committee on the Constitution. I happily went back—or I went back warily—to see what I said at that time just on the off chance that I might be being consistent and luckily found that I was.

I then also looked back at the period of 1981 when, with the new majority, the select committee on the Constitution had been abandoned and our Legislature no longer played much of a part in the process of constitutional reform. I will quote from both of those times in the House to reinforce what I am about to say this evening.

I am fundamentally opposed to this accord because I find it so fundamentally undemocratic. If I am anything, it is a democrat. I am a person who does not believe that a democratic nation should have its constitutional change imposed upon it by 11 men negotiating overnight as if they had the last option of saving a contract for a group of workers in their best interests, making tradeoffs and deals and then saying to the rest of the country and the rest of the legislatures—I would like to spend a fair amount of time on that—that they have no real say in it.

1920

I believe constitutional reform in a democratic country must be undertaken in a democratic fashion and must be based on a faith in the capacity of the people of that country to have a say in the constitutional change. We have now twice ignored that very important concept, with the repatriation of the Constitution the first time and now in 1988 as we all debate this matter with our hands tied by the first ministers of this country in terms of how far we can go, so the best a very courageous and hard-working committee can do is to come up with a number of companion resolutions which we hope will have some impact on these political despots—and that is how I consider them—who have decided to inflict their will upon us.

On May 4, 1981, in a speech in this House, I said the following: "No matter what the Supreme Court decides in the next week or two about this particular package"—speaking as I was at that time of the repatriation and the constitutional change—"there is much more that needs to be done in terms of constitutional reform. This Legislature, not just the executive, should be involved in that discussion.

"What we learned as members of that committee travelling across the country was that it is vital that the debate be broadened, that it be taken away from just the national Parliament and just the premiers around the country and be broadened to include as many Canadians as possible,

so that they understand what that debate is about and understand the choices that are there to be made for the future of their country.”

I believe that as profoundly today in 1988 as I did in 1981.

Instead, what we have is 11 high priests and their acolytes deciding for the rest of us the parameters of our discussion. By so doing, I would suggest to members that in a great irony they are destroying the Constitution of our country that exists, a Constitution which explicitly and implicitly gives certain rights to sovereign legislatures around this country and says to us as legislators that we have certain rights and privileges about making decisions.

The premiers and the Prime Minister are, I would remind all members, only *primus inter pares*, first among equals. We do not have a presidential system. Just because there happen to be majority governments in most of those provinces, those premiers have no right to restrict our debate and to restrict the process in a way which can only be seen, in my view, to be a blackmail-style pressure around the involvement of Quebec, finally, as has been said so eloquently by my colleague the member for Lake Nipigon (Mr. Pouliot), in the Canadian fabric.

We have been told, and it has been forced upon us by the way this has been done, that we cannot make any changes—the most we can do is put forward these companion resolutions—because this is the only way to get Quebec in and that this is the Quebec round. I would like, as strongly as I can, to make the argument that this is not just the Quebec round. If it in fact were, I would consider this an ending of that first stage of constitutional reform and I would accept the fact that it could be done in this authoritarian fashion.

But instead of just bringing in Quebec and finally respecting the distinct society, which many of us have believed in for a long time, the other premiers, and specifically the western premiers, played cards that should not have been played, brought other matters into this constitutional accord that should never have been brought in without the people being involved and set the stage for the next part of the agenda, which they should never have been allowed to do, and set, unfortunately, a precedent for how these decisions get made which is going to be very tough for us to change.

I would argue that instead of this just being the Quebec round, which I would hope we could all embrace well, this is a round which affects our aboriginal peoples because, strangely, we have included in the agenda in this accord, in the

actual wording of the accord, the fact that the first ministers will meet to discuss Senate reform; this reform of that sleeping chamber is of so much significance that it had to be mentioned in an accord which brings Quebec into the Constitution.

While we did that—while they did that—there is not one mention of the aboriginal peoples and when they are coming on the agenda. I would suggest that is a very important statement for any members who believe the line that is going around a lot now about the family of Canada finally being brought together. I would suggest that one of the children is still missing. Our founding peoples have not been included. They did not even merit mention in terms of the agenda which was involved.

Members may not think that is significant, that we can add a little companion resolution which will get them back in because they will all see fit to do that on their own, our wise leaders, the 11 sages, but I would suggest they were excluded specifically. They were excluded as part of the price for bringing in Quebec. It was not Quebec which asked for it. If members think it is going to be easy to get the aboriginal peoples higher on the agenda than Senate reform, which could take us a long time to get through, they are crazy. This is not going to speed up their involvement at all.

I would also suggest that this is not just the Quebec round, this is the Yukon round, this is the Northwest Territories round. In 1982, they had a guarantee from those first ministers, the sage 11, that in fact only a simple majority would be required to get one of the territories provincial status. Specifically under this accord it will now take unanimity. I ask members to think about that a little bit. That is a change. That is not an omission, like the aboriginal peoples; that is an act of commission. That has been done deliberately. I think anybody who looks at this and does not ask why that was done is missing the point of what this kind of bargaining session is all about.

I believe it was done for two reasons. First, some of the western provinces covet the notion of expansion into the north at some point or other. They wish to have a veto. Second, some of them, even if they do not wish to have part of the Northwest Territories made part of their province, do not want to lose the federal dollars which presently come in from resource extraction which would be lost to them if those areas became provinces.

What you have traded off here in bringing the family together is to probably exclude forever the notion of the Yukon and the Northwest Territo-

ries becoming provinces; or if they can become provinces I ask members what midnight deal will be made and what will be lost next time in order to get them that? I suggest it is a very dangerous thing that has taken place and that members should be concerned about it.

This is also, because of the whole messing around with section 16 which is involved in this, a round which does not just include Quebec but includes the multicultural community, includes the women of Canada, in ways they had not been expected to be pushed into this accord and which raise very serious legal questions about what their rights are now in the balance with the charter and with this new accord.

Finally, I would suggest that when one looks at what has been done so rightfully for the people of Quebec, bringing them into the recognition of the distinct society and protecting and promoting the French fact there, one has to look at the language which has been used in terms of the French-speaking people of our country outside of Quebec.

1930

For the word "protection," "protégé" is used in the French text. There is no notion of promotion. We must, I hope, all think seriously about the fact that two signatories, two of the sage group who signed this protecting their minorities, Grant Devine and Don Getty, have recently shown us what they think is appropriate protection of their francophone minorities. One would presume that they are not just trying to rush in some kind of inadequate change before this comes through, but that they are doing this, as they have said, in the spirit of Meech.

I would ask again, at what cost is this all taking place? Would it have taken place like this if we had actually freed the legislatures to do what our legislative committee members did—and I must praise them—that is, draw in people to hear their views? But then, unfortunately, they were constrained with how they could act, so that all they have come forward with, instead of amendment, because they knew that would be futile, is companion resolution, which they hope will have some impact on Mr. Mulroney.

I will just talk for a second about the power of resolutions from this House. What we will be passing when we pass this report—and I presume we will—will be just that, passing the report and the recommendations of a committee. I do not know, and I suppose it would take a lot of research by our table officers to find out, how many of those reports have been debated and how many of their recommendations have been

accepted in this House over many years. It would take an awful lot more research to find out how many of those recommendations were ever accepted by the government of the day in Ontario, let alone ever passed on to another level of government, accepted and acceded to by that other level of government or by parallel levels of government across the country. I can think of a number I have been involved with: one, for instance, on wife abuse; I still have to see some of those recommendations ever implemented, and that was in 1982.

I do not think we should kid ourselves about what it is we are going to be passing here and about what the actual strength of a resolution from this House is. To those who are feeling uncomfortable, as I know many people are, with the nature of this accord but who are saying, "Well, we have got these companion resolutions and that absolves us in some way," I say I do not think it does.

When I look at what is the fundamental reason for the difference of opinion between me and a number of my colleagues, it is not whether we all welcome and are delighted with the acceptance of Quebec, finally, into our midst; that is not the division. I will read, if I might, from something I said on May 5, 1980, which I believe as profoundly today as I did then: "Monsieur le Président, je veux croire qu'il n'est pas trop tard pour montrer notre bonne volonté politique de mûrir en tant que nation pouvant accommoder le Québec et ce qu'il représente au sein de notre fédération."

I still believe, as profoundly as I did then, that without Quebec this country is not Canada, as the member for Lake Nipigon said. I still believe that is what was vital for us to have accomplished in this last little while, but I say to members that the reason I cannot make the step with the rest of them is that for me we have done it at a cost, a cost to democracy, and at a price in terms of the other groups that I have mentioned that is too dear, that is too dangerous a precedent for the future.

I find myself obliged to stand here and to say, with regret, that although I understand the profound thought and emotion that have gone into this from the other side and the argument that it musters, that when I balance the pros and the cons, for me, for my Canada, there should have to be another way to accommodate nos soeurs et frères au Québec. There must be a democratic way to do this. We must accept those democratic principles and not the fiats of our new presidents. The tradeoffs that have been made around these

other groups is not the way any Québécois wants to be entered into Confederation. These were not their terms; these were Getty's terms; these were Devine's terms. These were not Bourassa's terms that have been added here.

Unless members understand that and understand how difficult it is going to be for us to act after this, either to change the process to a more democratic process or to avoid the constrictions that have been brought on this process by the very terms of this accord, I believe they miss the point of what is actually taking place here under the guise of finally having Quebec in our family.

Hon. Mrs. Caplan: I am pleased to have the opportunity to rise today and take part in this most historic debate. It has often been said that Canadians are no different from our American neighbours to the south, that we have no unique cultural identity. I lived in the United States for a short time and I know there are qualities that are distinctly Canadian. Canadians tend to seek compromise and show tremendous willingness to work co-operatively. Our publicly funded, universally accessible health care system is distinctly Canadian and is much envied by our neighbours to the south and, as I have said on numerous occasions, by many countries in the world.

The multiculturalism that enriches our communities is very much a Canadian phenomenon. I am extremely proud to be a Canadian today. I feel this pride and I know this is a sense that is shared by every member in this House. I feel that the Meech Lake accord is a truly Canadian solution to a distinctly Canadian set of circumstances.

Since 1982, we have had an incomplete Constitution, one that excludes the second-largest province in our country. The Meech Lake accord affords us the opportunity to say to Quebec, "We have listened, we have talked and we realize that Quebec is a distinctive province within Canada."

I am not suggesting that the Meech Lake accord is perfect. During the committee hearings, a number of individuals and groups raised concerns about the accord. I have been approached by women's groups that fear that the guarantee of equality in the Charter of Rights and Freedoms might in some way be compromised by the accord. However, and I wish to share this with all those who are listening to this debate, I have great confidence in the assurances of the Attorney General (Mr. Scott) that the accord in no way diminishes the guarantees of gender equality.

I think our highly respected and esteemed Attorney General in his submission to the committee made an excellent point when he said: "The accord does not purport to settle for future generations the ongoing debates about the nature of the country. Rather than seeking a futile once-and-for-all settlement of fundamental questions, the accord provides a space within which politics can continue with civility and mutual respect. It sees politics as a continuing exercise in finding compromise and building trust. It rejects polarization and tests of strength."

1940

In speaking with groups across the province, I often say our goal is to seek consensus, but we must remember, however, that consensus does not always mean unanimity. The Meech Lake accord represents a unique consensus in this country among representatives of different regions, different interests and even different political parties.

The legislative committee members examining the accord, who, I believe, must and should be commended for their excellent report, did not, I am sure, agree on each and every issue, but they were able to join together to provide for their unanimous endorsement for provincial acceptance of this historic agreement to bring Quebec into the constitutional fold.

I would also like to recognize the very important role played by my leader and our Premier (Mr. Peterson) and to acknowledge the significant contribution of the Attorney General. Ontario should be proud. We had, I believe, the best possible representation at Meech Lake and at Langevin. Both the Premier and the Attorney General deserve our appreciation for their hard work and their leadership in nation-building. I am proud to serve with them and, on behalf of my constituents in the riding of Oriole, I wish to go on the record to thank them.

As I said earlier, I believe this accord is in the best of Canadian traditions. It addresses the issues of language, of culture and of federal-provincial relations. As the Attorney General noted, Meech Lake stands in the traditions of Laurier, Mackenzie King and Pearson in striking a reasonable balance among contradictory ideals.

The debate which has surrounded the Meech Lake accord since it was first announced has been a very important and a very healthy one for this country. It has given us the opportunity to discuss things that we normally take for granted, things such as the importance of preserving our rights and freedoms and what it means to us as individuals to be Canadians.

I am pleased to have the opportunity today to add my voice to this discussion. I will be voting in favour of the motion before us and I appreciate the opportunity to speak in this House on behalf of my constituents in the riding of Oriole.

M. Daigeler: Merci, Monsieur le Président. Je vais m'adresser à vous en anglais, vu que mes commentaires sont surtout, je crois, dédiés à ceux qui ne comprennent pas le français. Alors, de cette façon, vous m'excuserez si je m'exprime en anglais.

Le vice-président: Allez-y.

Mr. Daigeler: I consider it a great privilege to rise in support of the Meech Lake historic reconciliation of English Canada with the province of Quebec. A substantial factor in the referendum rejection of a separatist Quebec was the promise of a renewed federalism. However, in the constitutional changes which brought us the Charter of Rights in 1982, the historic concerns of Quebec were not addressed.

In his remarks to the Legislature during the establishment of the select committee on constitutional reform, the Attorney General made reference to the sad feelings of betrayal experienced in Quebec in 1981 and 1982. Anyone who has been associated with Quebecers in recent years knows how much these old wounds are still festering. Mr. Scott made reference to the graphic description by Solange Chaput-Rolland, a member of the Pepin-Robarts federal Task Force on Canadian Unity and one of the leading campaigners for a "no" vote in the referendum.

In her words, "English Canada could not care less one month after the referendum. It stung me and it stung all of us who fought so hard to remain in Canada and to find ourselves outside of Canada. It was a very dramatic gesture when Mr. Levesque put the flag of Quebec at half-mast on the day you were all celebrating. But our hearts were at half-mast too that day, because we were out of a country we had chosen to remain in."

Chaput-Rolland's statement shows, in my opinion, how little Jim Coutts and those who feel like him understand the emotional significance of Quebec's absence from the constitutional family. In November of last year, Mr. Coutts wrote in the *Toronto Star*, "Canadians are seeing how ridiculous it is to have government leaders welcome Quebec back into Confederation when, in fact, the province never left." If in 1981, as happened in Quebec, every member of the Ontario Legislature would have voted against the constitutional changes as totally unacceptable, I wonder what Mr. Coutts would say today about Ontario's place in Confederation.

The question is not, was Quebec part of Canada before Meech Lake? Of course, it was, legally speaking. The question is, do Quebecers feel at home in Canada under the 1982 Constitution and without Meech Lake? To ask this question presupposes our desire to make Quebec feel at home in Canada. All too often, I regret to say, this desire is not present among Meech Lake critics.

Feeling at home in a country involves a sense of pride, equal partnership and real participation in the decisions and destiny of the nation. In other words, being part of Canada's Constitution must be more than an act of legal determination. It must be a statement of the heart. Meech Lake allows this kind of pledge for Quebec and, I feel strongly, it allows it with equal honour for all Canadians, including our aboriginal people and our multicultural communities.

To understand Meech Lake and why we can be proud of it, we must look at its facts rather than at the fiction that has been built around it by its detractors. As an example of the misleading information which has been spread on the accord, I quote a statement by the Canadian Coalition on the Constitution. I regret to see well-known Canadians such as Eugene Forsey, Adrienne Clarkson and Sharon Carstairs associated with such ill-informed statements as, "The Meech Lake accord cedes to provincial governments the selection of Supreme Court justices, gives provincial control over the appointment of senators, and gives every province a veto over any future constitutional change."

For the record, I would like to quote from the accord itself, which states in subsection 101C(1) with regard to the appointment of Supreme Court justices, "Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons...qualified...for appointment to that court." Under subsection 2, while the accord states that judges shall be appointed from among those whose names have been submitted under subsection 1, they must be acceptable to the Queen's Privy Council for Canada.

On the appointment of senators, again the accord specifies that they shall be chosen from any persons whose names have been submitted by the provincial government to which the vacancy relates and who must be acceptable to the Queen's Privy Council for Canada.

Are the critics saying that our provincial governments will be unable to propose names

acceptable to the federal government? If this were the sorry state of our national affairs, no legal formula to break the impasse would solve the underlying constitutional crisis. Only a changed political will could accomplish this. Such a change must happen through elections rather than in the arena of the courts.

1950

On the falsely maligned amending formula, let us see exactly where unanimity is required: the office of the Queen, the Governor General and the Lieutenant Governor of a province; the powers of the Senate and the method of selecting senators; the number of senators for each province; the number of MPs per province, not less than the number of senators in 1982; proportionate representation of the provinces in the House of Commons; the use of the English or the French language; the Supreme Court of Canada; the extension of existing provinces into the territories; the establishment of new provinces, and finally, an amendment to this part of the Constitution.

For all other amendments, the traditional formula remains in effect of seven provinces which together represent at least 50 per cent of Canada's population. As I see it, the more far-reaching the decisions the more important it is to involve all affected partners in the decision-making.

With regard to the central political institutions of this country, it is only fair that all partners in Confederation should agree to fundamental changes in our political system. Some feel that this unanimity requirement will prevent for ever the establishment of new provinces. I would like to point to the example of Switzerland, a country where I had the privilege of living for some time. With the unanimous agreement of all cantons, a new canton called Jura was created in recent years. Admittedly, this development took considerable time and effort. However, it was a price well worth paying. It made it possible to welcome this new canton as a truly equal partner and with the full respect of all other signatories of the Swiss Confederation.

Finally, another fiction that has been repeated often is the alleged lack of publicity about the process leading to the accord. I would like to emphasize that the basic concepts of Meech Lake were a matter of public record for several years. Quebec formally outlined its constitutional proposals two years ago based on the Quebec Liberal Party resolutions from 1985. "Speech by Quebec Minister Kicks Off Negotiation Process" read the

headline in a May 12, 1986, article by Globe and Mail reporter Graham Fraser.

On June 5, 1986, Prime Minister Brian Mulroney met with Premier Robert Bourassa and endorsed Quebec's agenda as a basis of negotiation. One week later, Liberal leader John Turner announced that after several weeks of concerted preparation, the Liberals supported Quebec's proposals in principle. At the time, they did have some reservations on the federal spending power.

Canada's 10 premiers considered the matter in August 1986 and issued the Edmonton declaration accepting Quebec's five issues as the basis for detailed talks which began in September. In January 1987, the New Democratic Party's federal council endorsed three of Quebec's proposals, including the recognition of a distinct society and sent the spending power issue off for study. The NDP national convention ratified this position in March, and around that time Mr. Mulroney called a meeting of first ministers where agreement was achieved on April 30 on reconciling Quebec to the 1982 Constitution Act.

Another section of the accord which has come under heavy criticism is the recognition of Quebec as a distinct society. In this context, I feel it is essential not to confuse the notion of unity with that of uniformity. We must learn not only to tolerate but to cherish and glory in the diversity which Canada possesses as a homeland of many peoples. Quebec's distinct society enriches the very nature of Canada and enhances our sovereignty by contributing to the uniqueness of this country. The strength of Canada's unity is intimately tied to our respect for its diversity.

The question has been raised why only Quebec should be recognized as a distinct society. The unilateral repatriation in 1982 of necessity forced Meech Lake to focus exclusively on the role of Quebec within Confederation. Secondly, Meech Lake refers to the distinctiveness of Quebec as a fundamental characteristic of Canada; it does not exclude other important characteristics of this country.

Some people fear this provision may limit individual rights guaranteed under the charter. However, as the Attorney General has said in his presentation to the select committee, any limits to charter rights must be demonstrably justifiable in a free and democratic society.

I ask those who do not accept the "distinct society" interpretation clause, "Are you prepared to put at risk—a risk that must be demonstrably justifiable to the Supreme Court—the survival of French-Canadian culture in order to protect

certain individual rights?" One cannot support the existence and growth of a different language and culture without accepting at the same time distinct rules of behaviour, different thought patterns and different ways of living. Anything less, in my opinion, would be hypocritical.

Recognizing the distinctiveness of one culture is the best guarantee for the acceptance of other cultures in this country. Once we appreciate in mind and heart the value of ways of life different from our own, we will be better able to accept the beauty not only of our French-Canadian heritage but that of our aboriginals and of our multicultural community in this country.

Finally, I want to make some remarks on the spending power of the federal government. Again, there has been much irrational scare-mongering by otherwise well-reasoned commentators. I would like to quote once more Jim Coutts from an article in the *Toronto Star* of November 29, 1987:

"One million children live in poverty. Canadians know that national programs are required to correct this shameful reality. They also know that our federal government—if the Meech Lake accord goes through—will never be able to successfully implement those programs."

In my opinion, there is a terrible arrogance in this criticism. It implies that provincial politicians are essentially self-serving and that Ottawa is the sole repository of wisdom and probity. We do need a strong central government, but my definition of strength is different from that of a centralist. Strength comes from bringing together rather from eliminating diversity, difference and distinctiveness.

Those arguing for more federal powers seem to say, "Ottawa knows best and everyone else should fall into line." I do not accept that position. It denies the inherent value of dissenting opinions. Strength, as I said, comes from consensus-building; it comes from recognizing the innate dignity and value of each participant in the process.

The federal government will still be able to devise and implement new national social programs, but it will do so by persuading Canadians of their merits, not by imposing its will. When the case for change is strong enough, it will carry the day. Governments will be encouraged to build consensus and to follow the established Canadian way of doing things. We are a people who find solutions to our problems by listening to each other and taking each other's point of view into account.

It will mean more variety in the nature of social programs across Canada, but Canada is a federal state—federal because variety was a condition of Confederation in 1867. Provincial jurisdictions exist for profound and practical reasons, not as inconveniences for those who would impose uniformity in all fields in a complex nation.

In concluding my remarks, I would like to make two final comments. Our amended Constitution will work if politicians of goodwill want it to; and it will fail, no matter how it reads, if mediocre, parochial or selfish politicians are in charge. Secondly, as the Attorney General said on November 25, 1987, if English Canada refuses to proceed with the accord, we will have appeared to have said no to Quebec for the second time in this decade.

I strongly believe that the Meech Lake accord respects and indeed strengthens the federal nature of this country through its recognition of diversity rather than uniformity, its emphasis on consensus-building rather than confrontation and its timely acceptance of Quebec into the constitutional family. I am therefore proud to support the report of the select committee and to endorse the constitutional resolution introduced by the Premier.

2000

L'hon. M. Grandmaître: Monsieur le Président, avec votre permission et celle de la Chambre, je vais m'exprimer en français. C'est une journée remarquable; alors, je préférerais m'exprimer en français.

Je suis très fier, à titre de Canadien, d'Ontarien, de Canadien français et de député, d'appuyer les recommandations du Comité spécial de la réforme constitutionnelle ainsi que la résolution autorisant la modification de la constitution du Canada.

Je profite de l'occasion pour féliciter le député de York-Nord et les dix membres de son comité, qui ont fait un travail exceptionnel. Je me réjouis du fait que le Comité spécial de la réforme constitutionnelle recommande de façon unanime que la province de l'Ontario doive protéger et promouvoir les droits des Franco-Ontariens.

Mon collègue le député de Scarborough-Ouest (M. R. F. Johnston) faisait allusion tantôt au fait que l'accord du lac Meech n'affirme pas que l'Ontario a la responsabilité de protéger et de promouvoir le fait français en Ontario. Alors, remercions Dieu de la Loi 8, qui a été acceptée de façon unanime par la Chambre pour promouvoir et protéger le fait francophone en Ontario.

L'appui unanime accordé à cette recommandation par les trois partis à cette Assemblée

constitue, à mon avis, une réaffirmation sans équivoque de leur appui aux initiatives du gouvernement visant à reconnaître la place légitime des francophones en Ontario. Monsieur le Président, je vous assure que l'Ontario continuera à consacrer toutes ses énergies à la mise en oeuvre de la Loi de 1986 sur les services en français ainsi qu'au suivi d'autres dossiers prioritaires pour les francophones de l'Ontario.

L'accord du lac Meech mérite notre appui parce qu'il reconnaît le concept de la dualité linguistique et culturelle comme la pierre angulaire de la loi constitutionnelle de notre pays. De plus, cet accord nous permet d'améliorer la Loi constitutionnelle de 1982.

Je suis heureux d'appuyer la recommandation visant à créer un comité permanent des affaires constitutionnelles et intergouvernementales. Ce comité sera un forum idéal pour débattre les revendications légitimes des francophones, telles que présentées dans le rapport du Comité.

Il va sans dire que l'exclusion du Québec de cette entente a eu et continue d'avoir de tristes conséquences pour l'unité de notre pays. Cet accord permettra ainsi de remédier à l'exclusion de près d'un quart des citoyens du Canada de la loi fondamentale du pays.

Les Canadiens ne peuvent pas accepter que le principal représentant d'un des peuples fondateurs du pays, le Québec, soit exclu de l'accord constitutionnel. Je suis convaincu que l'accord du lac Meech constitue une solution honorable à ce problème, une solution digne des citoyens du Canada, en partie parce qu'il permet au Québec de participer à part entière à la confédération.

D'ailleurs, la reconnaissance du Québec comme société distincte ne fait que confirmer une réalité que la grande majorité des Canadiens ont acceptée d'emblée dès les débuts de la confédération. Le Comité spécial de la réforme constitutionnelle abondait aussi en ce sens en affirmant que l'accord décrit fidèlement la réalité linguistique du Canada. Cet accord consacre aussi une collaboration fraternelle et permanente entre les communautés anglophone et francophone du Canada.

En ce qui a trait aux répercussions de l'accord sur la communauté francophone de cette province, je vous assure, Monsieur le Président, qu'elles seront importantes. J'appuie cet accord à titre de Franco-Ontarien parce qu'il reconnaît pour la première fois la responsabilité des provinces de protéger la culture française sur leur sol. De plus, la reconnaissance de la dualité linguistique au Canada nous porte à croire que cet accord pourrait favoriser les droits de la com-

munauté francophone de l'Ontario. D'ailleurs, l'histoire soutient cette thèse.

L'inclusion de l'article 23 portant sur les droits en matière de l'éducation des groupes minoritaires dans la Loi constitutionnelle de 1982 a eu des répercussions heureuses pour les Franco-Ontariens. Rappelons, entre autres, la décision de la Cour suprême de l'Ontario d'accorder aux Franco-Ontariens le droit de gérer leurs propres écoles. Plusieurs conviendront également que la Loi constitutionnelle est sans aucun doute à l'origine d'un des événements politiques les plus remarquables dans l'histoire des francophones de cette province, à savoir l'adoption de la Loi de 1986 sur les services en français.

Le jour où l'accord du lac Meech aura été entériné par toutes les provinces et le gouvernement canadien sera une occasion de réjouissance pour tous les Canadiens et pour tous les francophones de l'Ontario. La reconnaissance explicite de la dualité linguistique comme caractéristique fondamentale du pays nous amènera, j'en suis convaincu, à une plus grande reconnaissance des droits des francophones hors Québec.

J'enjoins à mes collègues d'exercer un leadership qui rayonnera au-delà des frontières de l'Ontario en appuyant l'accord du lac Meech, un geste qui consacrera la légitimité de la communauté francophone en Ontario.

This is one of the most important days of this Legislature, a historical one, because I know that the majority of the members of this House will support the Meech Lake accord. I think that most of us realize the importance of Meech Lake, and this importance will certainly affect other votes taken on the Meech Lake accord right across Canada.

In the last three or four weeks, we have lived through some difficult experiences in Canada with the decisions of Saskatchewan and Alberta refusing to recognize the rights of francophones in their provinces. I think that was a sad day for Canada. If Meech Lake had been in place, then these two provinces would not have backed it the way they did. I feel sorry for them. I feel sorry for francophones living in these two provinces, and I urge them to continue to work—not to fight with those provincial governments but to work with them in order to be accepted in their provinces.

This is an historic day. We should all stop and think and realize the importance of the Meech Lake accord. We should not be concerned only about Ontario. We should be concerned about our brothers and sisters, of the multicultural groups and communities right across Canada.

We must make sure that Meech Lake is a success not only for Ontario but also for Canada.

2010

Mr. Furlong: A May 2, 1987, article in the Kingston Whig-Standard reported the following:

"Constitutional law experts at Queen's University reacted with surprise and delight yesterday when they learned that Canada's first ministers had reached a unanimous accord which will bring Quebec into the Constitution. 'I just think it's wonderful. The thought of having Quebec voluntarily sitting down and signing the Constitution and being a full participant in the country is great news,' said Professor Dan Soberman, a constitutional law teacher at Queen's.

"He went on to say, 'I think the most important thing that people lose sight of is there may indeed have to be some costs and we might have done some things that we would prefer not to have done, but my view is that it's a relatively small price to pay for the unity that this will create in the country.'"

I share that view. I believe that we in this House should proclaim loudly and jointly our strong support for this constitutional accord. While we may suggest that the accord is not without flaws, we must also agree that it does provide the necessary framework to encourage a fully participating Quebec in Canada's constitutional agenda.

Our support of this accord, I believe, will send a message to all Canadians that we in Ontario share a commitment to a strong and united Canada. It also sends a clear message to Quebec that we are living up to our May 9, 1980, promise in this Legislature, approving a resolution calling for "a new constitution to satisfy the diverse aspirations of all Canadians and to replace the status quo which is clearly unacceptable." This resolution had the unanimous support of this House.

Constitutional reform came to an impasse in 1982. The governments of Canada and all other provinces except Quebec agreed to the repatriation of our Constitution. That document accommodated many interests in our country and brought us a Constitution with a Charter of Rights and Freedoms. It did not, as we know, resolve the question of a place for Quebec within Canada. Accordingly, it became necessary to develop a plan to correct this shortcoming of the 1982 agreement.

Our country, while delighted with the progress in 1982, was still handcuffed by the omission of Quebec. The accord unblocks constitutional

reform and removes barriers to political and economic challenges facing our nation. A new symbol, both symbolic and practical, will make possible new initiatives on constitutional reform.

To reject the accord on the basis of the perceived flaws would perpetuate Quebec's isolation and have serious consequences for Canada. If we are to promote unity and foster a spirit of true patriotism, then we must do what we said we would do. We must ensure that there be adequate protection for the distinct identity of Quebec within Canada as an equal partner under the Constitution.

In its July 1987 submission to the special joint committee on the 1987 constitutional accord, the Council for Canadian Unity extended its support for the accord. This council was established in 1969 and is a nonprofit, nonpartisan organization which seeks to preserve and enhance national unity in Canada. The council reports, "that although the accord responds in the first instance to the concerns of the government of Quebec, the provisions of the accord are sensitive to and reflect the concerns and objectives of provinces other than Quebec."

The accord includes provisions that will entrench the Supreme Court of Canada in the Constitution, and provide for a provincial role in future appointments to both the Supreme Court of Canada and the Senate. Under the terms of the accord, federal authorities will make appointments to the court from a list of candidates proposed by the provinces, with the federal government retaining the right of final approval. Another of the five major provisions of the accord allows for limitations on future federal spending in the areas of exclusive provincial jurisdiction and shared-cost programs.

All existing federal powers remain intact and untouched by the accord, and even those future programs designed to fall under exclusive jurisdiction must be compatible with the national objectives to qualify for federal government financing.

The proposed amending formula will encourage an extremely high level of co-operation and consultation between the federal and provincial governments, and ensure that all provinces have an equal voice in making changes to basic institutions that affect us so deeply.

Much has been said on both sides of the issue proposed in the accord that outlines the linguistic duality of Canada and recognizes Quebec's distinctive place within Confederation. The Constitution is to be interpreted in a manner consistent with the recognition that "French-

speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitute a fundamental characteristic of Canada." It goes on to state that Quebec constitutes a "distinct society" and has an obligation to "preserve and promote the distinct identity of Quebec."

Quebec as a "distinct society" represents an accurate picture of reality. It is not possible to ignore this fact. It is said by some that this section of the accord confers power. I do not agree. I believe it is an interpretative provision that recognizes the existence of the English-speaking minority in Quebec and the French-speaking minorities in the rest of the country.

Many have expressed concerns that the "distinct society" clause overrides the Charter of Rights. I prefer and share the legal opinion of the Attorney General who says because section 2 is an interpretive section, it does not override the charter. All Quebec laws, even those promoting linguistic duality, must comply with the charter.

Mr. Cureatz: A little more conviction over there.

Mr. Furlong: My friend the member for Durham East cannot sit quietly for one moment.

Mr. Kanter: At least he is here tonight.

Mr. Furlong: That is true. Welcome.

Mr. Callahan: He is here in anticipation of tomorrow.

Mr. Furlong: I see.

Mr. Cureatz: I'm warming up for tomorrow.

The Acting Speaker (Miss Roberts): Order.

Mr. Furlong: I consider it an honour and a privilege to participate in this debate. Constitutional reform has been the topic at first ministers' conferences for many years. I have heard these debates from different parts of the country, each with very special concerns.

I spent the first 20 years of my life in a northwestern mining community in Quebec. I spent the next 10 years in the province of New Brunswick and the most recent 16 years in Ontario. I have had an opportunity to travel extensively in every province of this country save and except one. I have established close friendships with many people in different parts of the country and have had the opportunity to hear their views, not only on Meech Lake but on a host of other national issues. It will come as no surprise that views and opinions vary from region to region, but my experience convinced me of one thing: we all want a united Canada.

As I indicated, I was born and raised in a northwestern Quebec mining town. My mother was a French Canadian. As I grew up, I watched in horror as friends and neighbours began to see that their option was one of separatism. It was even more frightening that I could see why they were choosing this route.

The principal employer, a mining corporation with headquarters in Toronto, practised a human resources policy to the detriment of the francophone majority. None of the managerial positions were ever offered to francophones. Francophones were required to work in an English environment. It came as no shock then that many of these employees became annoyed with their lot in life and subsequently became separatists.

I know of families and friendships that had major debates and major problems. It scared me.

As I spent some time in New Brunswick, linguistic duality was also a major concern there. In that province, it was divided, with the anglophones in the southern part of the province and the francophones in the northern part. The northern part of the province was more economically depressed. Prior to 1966, the movers and the shakers were southerners who dominated government and business. The arrival of an Acadian Premier with a program of reform called Equal Opportunity brought new meaning and pride to the lives of many New Brunswickers.

2020

The guaranteed delivery of services in both languages created a united province and ultimately led to official bilingualism. The guarantee of equal opportunity in education, health care, justice services and social services became the cornerstone of economic security in the province.

Still, I have the distinct feeling that New Brunswick did not consider itself as a part of the Confederation family. Historically, the province was a founding member of Confederation. The shift of economic prosperity to central Canada made them feel like distant poor cousins.

I feel the provisions of the accord dealing with the selection of judges, Senate reform, limitation of federal spending power and extension of the list of areas requiring unanimous consent will provide New Brunswick with a greater sense of belonging. It is my deep hope that Premier McKenna will be persuaded to be part of this historic event.

Le Comité spécial de la réforme constitutionnelle de l'Assemblée législative a déposé son rapport, dans lequel il recommande la ratification de l'accord du lac Meech. Selon le rapport, bien

que le Comité reconnaisse le fait que plusieurs Canadiens manifestent des réserves quant à certaines parties de l'accord, le Comité conclut qu'il n'y a pas d'urgence et que l'on peut traiter de ces questions de façon satisfaisante lors des discussions constitutionnelles à l'avenir.

I compliment the member for York North and his committee for its comprehensive report and I have no difficulty in supporting its recommendations. The reservations about the accord, I agree, are for discussion at future constitutional conferences. A continuation of the status quo, with 25 per cent of this country's population outside the Constitution, does little to enhance our national unity. Quebec as a voluntary partner is a gigantic first step, without which, in my view, all other reform would be impossible.

L'accord réussit à ramener le Québec au sein de la famille constitutionnelle, et ce d'une façon équilibrée qui renforce les grands principes du fédéralisme et permet de débloquent le processus de réforme constitutionnelle.

It does so in a way that not only strengthens national unity but also represents an essential development in Canada's constitutional history. With Quebec as a full partner, this country will move forward.

Mrs. LeBourdais: It has been over a year now since the Meech Lake accord was agreed on and signed by the 11 first ministers of Canada. Since that time the politicians, lawyers, academics, interest groups and the general public have studied the document and have attempted to assess the impact it will have on the Canadian federation. Some have been critical, while others have hailed it as a positive step forward.

For my part, I would like to add my voice to the many who have already spoken in favour of the Meech Lake accord. I feel the accord is worthy of my support because it achieves the important objective of bringing my birth province of Quebec back into the constitutional fold. It is a fundamentally sound document that resolves some of the long-standing disputes in federal-provincial relations over the past 25 years.

While the accord is by no means perfect—political agreements rarely are—I do not feel that any of the shortcomings are serious enough to warrant amendment to the accord. Any changes can be dealt with adequately during the upcoming rounds of constitutional discussion mandated by the accord.

In my comments this evening, I would like to focus on the dual nature of Canada and how the Meech Lake accord will affect this important

characteristic of our country. By virtue of having been born in Quebec, having a francophone name but of anglophone parents, being reasonably bilingual and being a woman, I feel I am able to bring a very personal perspective to this debate, not a perspective based coldly on logic, but rather one tempered with some emotion based on personal experience.

I take great pride in the duality I represent and I fully support the expansion of bilingualism across Canada. I see the learning of a second language as a tremendous asset that enriches a person's life and broadens one's horizons. It is for this reason my daughter is currently in Quebec on an exchange program so that she too may reap the benefits of being bilingual and begin to feel her heritage.

I sense this has already happened among many Quebeckers, because in a weekend call from my daughter she asked me if I recalled the de Gaulle statement, "Vive le Québec libre." She said that on the celebration of St. Jean-Baptiste Day this past Friday, Quebeckers were now yelling, "Vive la Québec Canadienne." To me that says it all.

Canadians, I feel, should see their country's French-language heritage as an asset, not a stumbling-block. It should be a source of pride, not conflict. We are often asked to celebrate our multicultural heritage, yet we have failed to truly celebrate our dual heritage. The sacrifices to be made are minor compared to the benefits. As former Prime Minister Pierre Trudeau once said: "A bilingual state is more expensive than a unilingual one, but it is a richer state." We should all be prepared to pay a price, for the rewards will be well worth that price.

Debate has gone on since the mid-1960s as to how we can best maintain and strengthen Canada's duality, a goal which has ultimately depended on the continued growth and development of the French language and culture. Canada's very survival has rested on the attainment of this objective.

Two visions have emerged on how best to ensure the survival of the French language and culture.

The first envisioned a bilingual and bicultural Canada, one in which French Canadians could feel at home from coast to coast. This vision was personified by Pierre Trudeau who believed in a strong federal government that would take an active role in promoting bilingualism and protecting language rights. Such actions, it was believed, would take away the *raison d'être* of the separatist movement in Quebec.

The second vision saw Quebec as being the homeland of French Canadians and distinct from other provinces. Proponents of this vision see the Quebec government as being the one best suited to ensure the development of the French language and culture, and therefore it must be given greater autonomy in order to achieve this purpose. They see Canada as being comprised of two founding peoples—deux nations—and believe that the protection of minority language groups is best achieved through the promotion of collective as opposed to individual rights.

Both these visions have merit and both must be incorporated into the Constitution if this document is to be enduring and to be successful. If, on the one hand, the vision of a bilingual Canada with a strong central government was overemphasized, many Quebecers would not feel secure that their language and culture would be adequately protected. It is for this reason that Quebec was unable to sign the 1982 Constitution Act. If, on the other hand, the deux nations vision with greater provincial autonomy was overemphasized, we would run the risk of balkanization; that is, of becoming overdecentralized. This, naturally, would present dire consequences for our national unity.

A constitution must not be designed to express and freeze into place any single vision of the nature of the country. It must give expression to competing visions in order to be successful and enduring. It must be pluralistic and it must be flexible. This has been the strength of the British North America Act of 1867 and has made it one of the longest lasting constitutions in the world.

The idea of pluralism and accommodation is captured in the Meech Lake accord. It represents a fragile compromise between the two competing visions of Canada. It seeks to make these two visions complementary as opposed to conflicting. As a result, Quebec is now willing to put its signature on the Constitution, thus completing the unfinished agenda of 1982. Ontario, as a strong member of the Canadian family, must welcome this decision.

L'accord reconnaît que le Québec forme une société distincte. Il reconnaît aussi que le gouvernement du Québec a pour rôle de préserver et de promouvoir cette identité distincte. Cela était une des conditions préalables importantes posées par le gouvernement Bourassa pour signer la constitution. En même temps, la Charte des droits et libertés, qui contient des dispositions concernant les droits linguistiques, demeurera intacte. En outre, l'accord reconnaît la nature bilingue du Canada et reconnaît explicitement

aussi bien la minorité anglophone du Québec que la minorité francophone qui vit à l'extérieur du Québec. Elle confie à chacune des provinces, dont le Québec, la responsabilité de préserver la minorité linguistique officielle.

2030

Madame la Présidente, la force de l'accord du lac Meech réside dans le fait qu'il reflète adéquatement la réalité de notre société. Cela est une nécessité pour tout document constitutionnel. S'il est trop éloigné de ces réalités, il ne parviendra pas à remplir ses objectifs. L'Acte d'Union de 1840, par lequel on a révoqué le statut officiel de la langue française et tenté d'assimiler les Canadiens français, est un parfait exemple dans notre histoire d'un document constitutionnel qui ne fonctionnait pas puisqu'il ne reflétait pas la réalité sociale. La solidarité ethnique a triomphé de la volonté politique de son auteur.

La réalité de notre société actuelle, comme ce fut le cas jadis, est que le Canada est composé de deux groupes ethniques fondateurs. Tous deux sont trop importants et trop fortement enracinés pour pouvoir assimiler l'autre. Les besoins de ces deux groupes doivent être satisfaits pour que le pays demeure uni. Il s'agit d'un fait historique et sociologique que le Québec constitue une société distincte à l'intérieur du Canada. Si nous nous attardons à sa langue, à sa culture et à ses traditions juridiques, cela ne laissera pas planer l'ombre d'un doute.

La dualité linguistique du Canada est aussi une caractéristique fondamentale de notre société. L'accord du lac Meech reconnaît explicitement cette réalité. Cette reconnaissance n'a rien de révolutionnaire ou de provoquant. Elle n'est que le reflet du Canada tel qu'il est.

The "distinct society" clause has been the centre of much attention. There are those who predict dire consequences as a result of this clause. Some argue that it could be used to justify the suspension of many rights guaranteed by the charter. Of particular concern is that it could be used in a way that would infringe upon women's equality rights as guaranteed in section 15 of the charter. Former Prime Minister Pierre Trudeau has claimed that the "distinct society" clause would transfer massive federal powers to the provinces, thus doing irreparable damage to Canada. Finally, there are those who argue that multiculturalism and minority groups, such as the aborigines, will suffer as a result of this clause.

I would like to argue that a careful reading of the Meech Lake accord would reveal that these

claims are very much exaggerated. As a woman, I am particularly sensitive to any measure that would adversely affect section 15 of the charter. Yet I simply fail to see how the "distinct society" clause would override women's equality rights. I have yet to hear a single, concrete example of how this could come about. It must be remembered that the "distinct society" clause does not take precedence over the charter. It is merely something that the courts are asked to take into consideration when interpreting the charter.

In addition, it should be noted that it is explicitly stated in the accord that the distribution of powers among the federal and provincial governments is to remain unchanged. It also states explicitly that those sections of the charter regarding multiculturalism and aboriginal peoples cannot be affected by the "distinct society" clause. Allow me to re-emphasize this point. The section of the Meech Lake accord that recognizes our linguistic duality and Quebec's distinctiveness does not mean that other cultural groups have been rejected or given second-class status.

The Meech Lake accord represents an equilibrium. It is a synthesis of competing visions that have occupied centre stage in the past 25 years of constitutional debate. As a Canadian, a native of Quebec and a woman, I do not feel uncomfortable with this accord. In fact, I see it as a positive step in our development as a nation. Most important, it accomplishes the vital task of bringing Quebec out of its constitutional isolation, making it feel comfortable as an integral member of the Canadian federation.

Like the 1982 Constitution Act, the Meech Lake accord will have a profound impact on the future of Canada. For this reason, we, as politicians, have an important obligation to carefully scrutinize the accord before we make any recommendations. This constitutional accord has been carefully examined for more than a year now. I believe it has stood up to the test and is worthy of our support. Five other provinces and the federal government have already ratified the Meech Lake accord. Now the time has come for us to do the same.

Mr. Faubert: I am pleased to take part in this debate on the report of the select committee on constitutional reform and Meech Lake. I may comment how appropriate it is that this debate is taking place as we lead up to Canada Day and indeed we celebrate all the aspects of Canada Week.

As I begin my comments on my views of the 1987 constitutional accord, in my attempt to put my contribution to this debate into perspective, I

would like to share a quote with the members of the Legislature. While it may be more suitable for me to be quoting a great Canadian while we debate amendments to the Canadian Constitution, I have chosen to recall the words of an early American President. It was once said by Abraham Lincoln, and I quote, "The world may little note nor long remember what we say here."

That quotation may very well apply to much of the comments made today by myself and perhaps other members of this chamber who have chosen to speak on this matter of the Meech Lake accord. This is not to say that the comments made in this debate are of little importance. It is just to put my contribution to this debate into perspective.

However, members of this House should take heart when I also state that the record which remains may just be that and may stay hidden in Hansard, to be sought out perhaps by some future historian or researcher on the Meech Lake accord. It is necessary for us to state for that record our position, not to explain our actions or our vote, but to ensure that there is some future accounting on one or two points we may wish to make regarding the 1987 Meech Lake accord.

I, like most members, am not a legal or constitutional expert. However, like all Canadians, I do have a vision of what I perceive this country to be and where I would like to see it go. I would like to share my vision of our country with the House in a moment; but, first, I would like to express feelings of encouragement that stem from my reaction to the report of the select committee on constitutional reform.

The select committee provided a forum for those who, for one reason or another, had strong feelings about the Meech Lake accord. Some people have even referred to the accord as the Meech Lake "discord" in reference to the incredible amount of controversy and comment, interpretation and misinterpretation of both the cause and effect of this agreement.

This is not a negative result but a positive one, because I think it confirms, as indeed do some of the expressions of opinion by members of this House, that all Canadians and indeed Ontarians are not passive when it comes to the future of our country, nor are they indifferent to the complex issues that must be continually examined as we adjust the framework upon which our society is based.

I would like to congratulate and commend the chairman, the member for York North, and all members of the all-party select committee for their thorough analysis of the issues before us today, for the excellent report that has been

presented to us and, indeed, for their sensitivity to the concerns of the groups and individuals who appeared before them. The report provides the first ministers, and indeed all Canadians, with an agenda towards future constitutional reform.

Je ne parlerai pas du rapport du Comité spécial en entier ou de tout l'accord du lac Meech, mais je puis assurer les députés de l'Assemblée législative que j'appuie les principes et les objectifs qui sous-tendent tous les aspects de l'accord, non pas pour ce qu'est cet accord mais plutôt pour ce qu'il fait pour que le pays poursuive ses efforts en vue de construire une nation sur la base d'un consensus national.

Tonight I would like to address some of the concerns and the fears related to me by some of our multicultural communities. Some of them were related to me as a past chairman of the National Action Committee on Race Relations. Some members of our multicultural communities feel their place in Canadian society is somehow threatened by the linguistic duality of the accord and that their communities should be recognized in section 1 of the accord as fundamental characteristics of this country.

Mr. Gregorovich, representing the ethnic press, stated before the select committee that he felt multicultural Canadians, and I quote, were "virtually excluded from the accord." Indeed, he said that the reality of this nation is being ignored. In Mr. Gregorovich's view of our society, and I quote again: "The fabric of this society is multicultural. We are a nation of many cultures and races. We believe in a just society and equality."

2040

I am sure that I, like many members of the Legislature, share Mr. Gregorovich's view of our country. We believe that all multicultural communities are equally important, and it is upon their survival and their very existence that the distinct identity of what it is to be a Canadian really exists. I have said and will continue to say when asked to describe what a Canadian identity is that our cultural diversity is our identity.

That being said, I can honestly say that if I felt this view and this reality of Canada was in the least jeopardized, I could not in good conscience stand in this House and support the select committee's recommendation to ratify this constitutional amendment. However, I do not believe this to be the case. I will certainly be supporting the committee's recommendations in their entirety.

Clearly, section 27 of the charter states that: "This charter shall be interpreted in a manner

consistent with the preservation and enhancement of the multicultural heritage of Canadians." The Attorney General states, in his brief to the select committee, that section 16 of the accord negates the implication that Canada is made up of two nations or two cultural groups. Section 16 instructs courts to interpret the distinct society within the context of a contemporary Canada which recognizes cultural diversity and the need to preserve and to enhance it. In layman's terms, since the accord does not override the Charter of Rights, the provisions within the charter recognizing and protecting our multicultural diversity remain intact.

With regard to the suggestion to amend section 1 of the accord to include the multicultural heritage of Canada as a fundamental characteristic of the country, one can hardly argue that it is not. However, the intention of section 1 is not to recognize all of Canada's fundamental characteristics, but to recognize one such characteristic.

This does not mean that the multicultural groups were off base with their request to be included in section 1. In fact, I am in full agreement with the select committee's conclusion that such an inclusion in section 1 would better reflect the full spectrum of Canadian society.

While the inclusion of the concept of multiculturalism as a fundamental characteristic would, in my opinion and in the opinion of the committee, improve the accord, it is not reason enough to take a chance of allowing the fragile national consensus on the accord to be threatened. The select committee correctly and clearly states that the concept of fundamental characteristics should form the basis for future constitutional discussions by first ministers and by Canadians generally.

I say to those who feel excluded from the accord to put this entire process into perspective. The Meech Lake accord is a historic agreement because it brings Quebec into the constitutional fold.

I would like to address my comments to those of my colleagues with concerns reflecting those of the multicultural communities. Some have addressed this issue, and I believe others who follow will also address this. I believe they, like many of us, had problems with interpretation or wished changes to add specific reference to recognition of multicultural identity or that this accord somehow establish two nations of multiculturalism in Canada.

However, this accord is but one agreement to amend our Constitution; it is not a final

opportunity for change or reform. It is clearly a part of a recommended process of further change by the select committee. It is but one step in the process of nation-building, which will be ongoing throughout our history. Indeed, we are asking Canadians to take a great leap of faith which must occur every time our constitutional framework is adjusted, as we work on what the member for North York calls our new-generation Constitution.

I hear the concerns of the multicultural communities, I understand them, and, indeed, I sympathize with them. I can assure them that their concerns have not been ignored. I ask those in the multicultural groups who have concerns about this accord to take that leap of faith: faith that the approval of this accord will provide greater unity from coast to coast; faith that the Attorney General's learned interpretation of the effects of this accord is indeed correct; faith that the select committee's recommendation will be adhered to and acted upon at future constitutional conferences, and faith that this government will continue to listen and address the concerns of all Ontarians with regard to future constitutional discussions.

I believe that faith in these statements is not blind faith but is indeed faith based on logic. Though these words may not, as Mr. Lincoln said, be long remembered, perhaps they will serve to assure the multicultural communities that are not on side with this accord that their concerns are understood and their concerns will be further addressed in preparation for future constitutional conferences.

Mr. Fleet: The report of the select committee on constitutional reform and the constitutional amendment resolution itself deal with the fundamental values and relationships embodied in Canada. Constitutional matters are inherently of weighty and grave concern because they reflect our vision of the past, present and future of our country and its peoples.

Because of this and because of the controversial nature of the proposals before us, I have dealt with these issues as a matter of conscience. To the best of my ability, I have independently reviewed all the available information at great length and in significant detail to come to an independent decision. This includes reading and rereading many of the written briefs sent to the select committee and much of the Hansard of that committee.

To make a decision apart from the constraint of party discipline impacts heavily on a member and it also imparts a responsibility to act with care

and, at least for me, as much as possible to make a determination in the best interests of Canada.

I have consulted widely and repeatedly within my caucus, including all Liberal members of the committee, the Attorney General and his staff and the Premier, and with many of my constituents. Their viewpoints and advice varied and at times conflicted. Nevertheless, I found it very helpful. I extend my sincere thanks to all of them for that advice.

The choice before me is to endorse the constitutional proposals, which I will refer to as the Meech Lake accord, or not to endorse them. I cannot rewrite the least desirable parts just to suit myself. The accord, like all political agreements, contains elements of compromise among different visions of Canada. The question is therefore whether on balance the Meech Lake accord helps Canada, taking into account all the pluses and minuses, and for me the test is not easy to assess or simple to describe.

On balance, I ask myself, does the Meech Lake accord move us closer to a world where, as Canadians, we are more tolerant towards minorities and different cultural groups, not less tolerant? Are we more willing to communicate about our differences and to solve them working together, not less willing? There are always pressures for conflict. I believe that we must provide leadership by pursuing our ideals without illusion and by fostering the positive aspects of our society.

The Meech Lake accord is not guaranteed to be part of our Constitution. Several legislatures must still pass the necessary resolution, and it is public knowledge that the majority of legislators in New Brunswick and Manitoba are presently predisposed to not pass the accord unless it is amended. I can empathize with those legislators because of the very real doubts I have held since I first read the provisions of the accord approximately a year ago.

My concerns were greatest about the "distinct society" clause and the capacity of the federal government to act in the national interest. I will therefore focus on these topics and the overall benefits of the accord. The linguistic duality clause and the "distinct society" clause are contained in the proposed section 2 of the Constitution Act, 1867. Subsection 1 is an interpretative section only; it must be read consistent with all other provisions and it says so right on its face. It recognizes and legitimizes French-speaking Canadians outside of Quebec; it recognizes English-speaking Canadians inside Quebec; and it recognizes that Quebec is, within

Canada, a distinct society. There are numerous other constitutional provisions which already recognize the uniqueness of Quebec, for example, the civil law system of Quebec. These recognitions are both historical and sociological facts. Subsection 1(1) calls these three recognitions fundamental characteristics of Canada.

2050

In subsection 1(2), the Meech Lake accord affirms the role of all legislatures and the federal Parliament—and this includes Quebec—to preserve the existence of French-speaking Canadians outside Canada and English-speaking Canadians inside Quebec. I confess I would have preferred the use of the phrase “preserve and promote” rather than just the word “preserve.”

Subsection 1(3) affirms the role of Quebec to preserve and promote its distinct identity within Canada. I think it is very important that it adds the words “within Canada.” The role of Quebec, as an advocate of that distinct society, has been an avowed function of every government in that province since Confederation. Moderate and minimal language is what we find in the Meech Lake accord compared with the separatist avowals of the Parti québécois and the strongly nationalistic and isolationist outlook of the Union Nationale, which have formed governments in Quebec stretching back to the 1930s.

It is notable also that the Quebec government has already advanced the “distinct society” argument in the courts, for instance, in the Bill 101 case. My greatest concern has been the impact of the “distinct society” clauses upon human rights, and I question whether they would be substantively interpreted differently in one part of Canada, namely, Quebec, from the rest of Canada. This concern was very strongly and articulately put forward before the select committee by multicultural groups, women’s groups and other groups concerned with the use of the equality clause in the Constitution. I take that concern very close to my heart. It is very important.

However, these are not just women’s or multicultural issues because they involve many freedoms and rights. The Canadian Charter of Rights and Freedoms includes freedoms of conscience, religion, expression, peaceful assembly and association. It includes rights to life, liberty, security of the person and to be free from unreasonable search, seizure, arbitrary detention and cruel and unusual punishment. They are very weighty matters. It includes an equality provision that protects those based on race, national or

ethnic origin, colour, religion, sex, age or mental or physical disability.

However, these rights are not unlimited. They must be read in a manner consistent with the rest of the Constitution. Section 1 specifically indicates that they are to be read subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society. The answer, I firmly believe, is that Meech Lake does not provide a “distinct society” clause which overrides the charter.

There has been concern expressed by some that section 16 of the Meech Lake accord protects multicultural and aboriginal provisions, thus exposing all other rights and freedoms that I have referred to. Section 25 of the charter deals with the interpretation of aboriginal rights, including those in class 24 of section 91 of the Constitution Act, 1867, and in section 35 of the Constitution Act, 1982. Section 27 of the charter states, “This charter shall be interpreted in a manner consistent with the preservation and enhancement of the multicultural heritage of Canadians.”

These are interpretive provisions of our Constitution, just as the “linguistic duality” and “distinct society” clauses are. They all deal with linguistic and cultural issues. Section 16 merely preserves the integrity of those provisions so that there is no hierarchy of rights. As such, I agree wholeheartedly with the legal analyses advanced before the select committee on constitutional reform by the Attorney General and by Professor Peter Hogg.

I also have a concern to ensure that, even with the Meech Lake accord, the federal government retain sufficient power to act in the national interest, and forcefully when necessary. It centres on section 106A and shared-cost programs. Presently, the federal government in practice has created national programs, on a shared-cost basis with willing provinces, in jurisdictions exclusively provincial in nature. The present law neither endorses nor prevents this federal capacity. In effect, the federal government uses its superior financial resources to persuade provinces to act. This is generally called the federal spending power.

The reason that this federal spending power has been so important is that it is so tempting to the provinces. Provinces that co-operate in the established programs only pay for part of the cost. Provinces that do not co-operate receive nothing. Section 106A confirms the right of the federal spending power for the first time, and that is very positive. It also allows a province that does not co-operate with a future national

program to opt out with financial compensation if the province has its own program or initiative that is compatible with the national objectives. My concerns are with the words "compatible" and "national objectives." They are less clear than I would prefer and there is some risk, with the leverage or temptation I referred to earlier, that the existing federal spending power will have been unduly lessened by the accord.

On balance, I believe it is clear that the federal spending power may have been slightly softened. However, section 106A does not apply to any existing programs such as the Canada pension plan or health insurance plans. We must also remember that the provincial health insurance plans are provincially run and vary slightly from province to province.

That approach is consistent with section 106A and consistent with the principle of co-operative federalism, which I believe is supported by most Canadians across the country.

The overwhelming argument in favour of the Meech Lake accord is the advantage of having the Quebec government consent to our Constitution. Some people have described this as having Quebec rejoin our Canadian family. However, that description is imprecise because the Constitution applies to Quebec already. What is different is the element of willingness, of agreement to be part of our national framework as we work to improve the condition of all Canadians. For example, the necessary constitutional amendments on aboriginal rights, multiculturalism and other matters are unlikely, if not impossible, without the full participation of Quebec.

Meech Lake does not represent an end of all language or cultural tensions in Canada, but most assuredly, and I believe this very deeply, the rejection of Meech Lake will exacerbate conditions. We cannot proceed with leadership if we do not take that into account. I believe in more tolerance and more understanding.

I must say to all members who participated that is certainly the genius of the select committee's report. It urges a better process of constitutional amendment with increased public consultation. I agree strongly with that. It recommends improvements to the Constitution to represent more fairly the interests of the citizens of the Yukon and Northwest Territories. I agree we must work on these matters whatever the outcome of Meech Lake.

The report encourages further work to be done by the federal government and all provincial governments to develop a working definition of

the provisions under section 106A, the cost-sharing section I referred to earlier. That kind of detailed interaction among all levels of government is normal and desirable, and I support it.

The select committee proposes two parallel resolutions. It proposes to have included as fundamental characteristics of Canada additional features, namely, the recognition of aboriginal peoples and to have further constitutional conferences for the purpose of identifying their rights.

It proposes to include as a fundamental characteristic the recognition of our multicultural heritage and Canada's commitment to give equal respect to the many origins, creeds and cultures that shape our society and, further, the recognition of our commitment to the protection and guarantee of the rights and freedoms of all Canadians.

I strongly support and laud these features. Last November in this House, I called for Ontario to acknowledge officially its multicultural nature. The report may have an even better proposal, as I have indicated. I support these parallel resolutions very strongly. They address the concerns I have had.

We can proceed with this agenda and with the Meech Lake accord. Quebec will be a full and willing partner in Canada. I support and will vote for both the report and the Meech Lake accord with a glad heart and with a positive outlook on Canada's future.

À la suite d'une motion présentée par M. Fleet, le débat est ajourné.

On motion by Mr. Fleet, the debate was adjourned.

BUSINESS OF THE HOUSE

Hon. Mr. Conway: I would like to make a brief business statement to outline the proceedings of the assembly tomorrow.

We will commence sitting at nine o'clock tomorrow morning to continue this, the adjourned debate on the select committee on constitutional reform report. We will conclude this debate at 12 noon and any division will be stacked to 4 p.m. tomorrow afternoon.

The House will recess at noon for lunch and will resume with routine proceedings at 1 p.m. Following those routine proceedings, we will consider government notice of motion 6 standing in the name of the Premier, with a vote taken on that matter at 4 p.m.

Following this, we will consider second reading of Bill 167, the Wine Content Act, the interim supply motion, the motions re summer committee schedules, the resolution concerning

the appointment of a conflict of interest commissioner and third readings of all completed legislation, including private bills.

The House adjourned at 9:01 p.m.

ALPHABETICAL LIST OF MEMBERS*

(130 seats)

First Session, 34th Parliament

Lieutenant Governor: Hon. Lincoln M. Alexander, PC, QC

-
- Adams, Peter (Peterborough L)
 Allen, Richard (Hamilton West NDP)
 Ballinger, William G. (Durham-York L)
 Beer, Charles (York North L)
 Black, Kenneth H. (Muskoka-Georgian Bay L)
 Bossy, Maurice L. (Chatham-Kent L)
Bradley, Hon. James J., Minister of the Environment (St. Catharines L)
 Brandt, Andrew S. (Sarnia PC)
 Breugh, Michael J. (Oshawa NDP)
 Brown, Michael A. (Algoma-Manitoulin L)
 Bryden, Marion (Beaches-Woodbine NDP)
 Callahan, Robert V. (Brampton South L)
 Campbell, Sterling (Sudbury L)
Caplan, Hon. Elinor, Minister of Health (Oriole L)
 Carrothers, Douglas A. (Oakville South L)
 Charlton, Brian A. (Hamilton Mountain NDP)
 Chiarelli, Robert (Ottawa West L)
 Cleary, John C. (Cornwall L)
 Collins, Shirley (Wentworth East L)
Conway, Hon. Sean G., Minister of Mines (Renfrew North L)
 Cooke, David R. (Kitchener L)
 Cooke, David S. (Windsor-Riverside NDP)
 Cordiano, Joseph (Lawrence L)
 Cousens, W. Donald (Markham PC)
 Cunningham, Dianne E. (London North PC)
 Cureatz, Sam L. (Durham East PC)
Curling, Hon. Alvin, Minister of Skills Development (Scarborough North L)
 Daigeler, Hans (Nepean L)
 Dietsch, Michael M. (St. Catharines-Brock L)
Eakins, Hon. John F., Minister of Municipal Affairs (Victoria-Haliburton L)
Edighoffer, Hon. Hugh A., Speaker (Perth L)
 Elliot, R. Walter (Halton North L)
Elston, Hon. Murray J., Chairman of the Management Board of Cabinet (Bruce L)
 Epp, Herbert A. (Waterloo North L)
 Eves, Ernie L. (Parry Sound PC)
 Farnan, Michael (Cambridge NDP)
 Faubert, Frank (Scarborough-Ellesmere L)
 Fawcett, Joan M. (Northumberland L)
 Ferraro, Rick E. (Guelph L)
 Fleet, David (High Park-Swansea L)
Fontaine, Hon. René, Minister of Northern Development (Cochrane North L)
Fulton, Hon. Ed, Minister of Transportation (Scarborough East L)
 Furlong, Allan W. (Durham Centre L)
Grandmaître, Hon. Bernard C., Minister of Revenue (Ottawa East L)
 Grier, Ruth A. (Etobicoke-Lakeshore NDP)
 Haggerty, Ray (Niagara South L)
 Hampton, Howard (Rainy River NDP)
 Harris, Michael D. (Nipissing PC)
 Hart, Christine E. (York East L)
 Henderson, D. James (Etobicoke-Humber L)
Hošek, Hon. Chaviva, Minister of Housing (Oakwood L)
 Jackson, Cameron (Burlington South PC)
 Johnson, Jack (Wellington PC)
 Johnston, Richard F. (Scarborough West NDP)
 Kanter, Ron (St. Andrew-St. Patrick L)
Kerrio, Hon. Vincent G., Minister of Natural Resources (Niagara Falls L)
 Keyes, Kenneth A. (Kingston and The Islands L)
 Kozyra, Taras B. (Port Arthur L)
Kwinter, Hon. Monte, Minister of Industry, Trade and Technology (Wilson Heights L)
 Laughren, Floyd (Nickel Belt NDP)
 LeBourdais, Linda (Etobicoke West L)
 Leone, Laureano (Downsview L)
 Lipsett, Ron (Grey L)
 Lupusella, Tony (Dovercourt L)
 MacDonald, Keith (Prince Edward-Lennox L)
 Mackenzie, Bob (Hamilton East NDP)
 Mahoney, Steven W. (Mississauga West L)
Mancini, Hon. Remo, Minister without Portfolio (Essex South L)
 Marland, Margaret (Mississauga South PC)
 Martel, Shelley (Sudbury East NDP)
 Matrondola, Gino (Willowdale L)
 McCague, George R. (Simcoe West PC)
 McClelland, Carman (Brampton North L)
 McGuigan, James F. (Essex-Kent L)
 McGuinty, Dalton J. (Ottawa South L)
 McLean, Allan K. (Simcoe East PC)
McLeod, Hon. Lyn, Minister of Colleges and Universities (Fort William L)
 Miclash, Frank (Kenora L)
 Miller, Gordon I. (Norfolk L)

Morin, Gilles E. (Carleton East L)
 Morin-Strom, Karl E. (Sault Ste. Marie NDP)
 Neumann, David E. (Brantford L)
 Nicholas, Cindy (Scarborough Centre L)
 Nixon, J. Bradford (York Mills L)
Nixon, Hon. Robert F., Deputy Premier,
 Treasurer of Ontario and Minister of Economics
 and Minister of Financial Institutions
 (Brant-Haldimand L)
Oddie Munro, Hon. Lily, Minister of Culture
 and Communications (Hamilton Centre L)
 Offer, Steven (Mississauga North L)
O'Neil, Hon. Hugh P., Minister of Tourism and
 Recreation (Quinte L)
 O'Neill, Yvonne (Ottawa-Rideau L)
 Owen, Bruce (Simcoe Centre L)
Patten, Hon. Richard, Minister of Government
 Services (Ottawa Centre L)
 Pelissero, Harry E. (Lincoln L)
Peterson, Hon. David R., Premier and President
 of the Council and Minister of Inter-
 governmental Affairs (London Centre L)
 Philip, Ed (Etobicoke-Rexdale NDP)
Phillips, Hon. Gerry, Minister of Citizenship
 (Scarborough-Agincourt L)
 Poirier, Jean, Deputy Speaker and Chairman of
 the Committees of the Whole House (Prescott
 and Russell L)
 Pollock, Jim (Hastings-Peterborough PC)
 Polsinelli, Claudio (Yorkview L)
 Poole, Dianne (Eglinton L)
 Pope, Alan W. (Cochrane South PC)
 Pouliot, Gilles (Lake Nipigon NDP)
 Rae, Bob (York South NDP)
Ramsay, Hon. David, Minister of Correctional
 Services (Timiskaming L)
 Ray, Michael C. (Windsor-Walkerville L)
 Reville, David (Riverdale NDP)
 Reyecraft, Douglas R. (Middlesex L)
Riddell, Hon. Jack, Minister of Agriculture and
 Food (Huron L)

Roberts, Marietta L. D., Deputy Chairman of the
 Committees of the Whole House (Elgin L)
 Runciman, Robert W. (Leeds-Grenville PC)
 Ruprecht, Tony (Parkdale L)
Scott, Hon. Ian G., Attorney General
 (St. George-St. David L)
 Smith, David W. (Lambton L)
Smith, Hon. E. Joan, Solicitor General
 (London South L)
 Sola, John (Mississauga East L)
Sorbara, Hon. Gregory S., Minister of Labour
 (York Centre L)
 South, Larry (Frontenac-Addington L)
 Sterling, Norman W. (Carleton PC)
 Stoner, Norah (Durham West L)
 Sullivan, Barbara (Halton Centre L)
 Swart, Mel (Welland-Thorold NDP)
Sweeney, Hon. John, Minister of Community
 and Social Services (Kitchener-Wilmot L)
 Tatham, Charlie (Oxford L)
 Velshi, Murad (Don Mills L)
 Villeneuve, Noble (Stormont, Dundas and Glen-
 garry PC)
Ward, Hon. Christopher C., Minister of
 Education (Wentworth North L)
 Wildman, Bud (Algoma NDP)
Wilson, Hon. Mavis, Minister without Portfolio
 (Dufferin-Peel L)
 Wiseman, Douglas J. (Lanark-Renfrew PC)
Wong, Hon. Robert C., Minister of Energy
 (Fort York L)
Wrye, Hon. William, Minister of Consumer and
 Commercial Relations (Windsor-Sandwich L)

*The alphabetical list of members appears in
 each issue. Lists of the members of the executive
 council, parliamentary assistants and members
 of committees, brought up to date as necessary,
 are published in Hansard in the first and last
 issues of each session and on the first sitting day
 of each month.

CONTENTS

Tuesday, June 28, 1988

Members' statements

Ontario municipal employees' retirement system, Mr. Farnan	4719
Land use, Mr. Cureatz	4719
Provincial Member's Awards, Ms. Hart	4719
Youth shelter, Mr. R. F. Johnston	4720
Burlington area transportation, Mr. Jackson	4720
Cambridge Memorial Hospital, Mr. Farnan	4720
Drivers' licences, Mr. McLean	4721

Statements by the ministry

NorOntair, Hon. Mr. Fontaine	4722
Social assistance, Hon. Mr. Sweeney	4722
Property and casualty insurance compensation plan, Hon. R. F. Nixon	4723
Consumer protection, Hon. Mr. Wrye	4723

Responses

Property and casualty insurance compensation plan, Mr. Swart	4724
NorOntair, Mr. Pouliot, Mr. Morin-Strom	4724
Social assistance, Mr. Allen	4725
Consumer protection, Mr. Brandt	4725
Social assistance, Mrs. Cunningham	4725

Oral questions

Rental housing protection, Mr. B. Rae, Hon. Ms. Hošek	4726
Wine industry, Mr. B. Rae, Hon. Mr. Wrye, Mr. Swart	4727
Electrical power, Mr. Brandt, Hon. Mr. Wong	4729
Legislative Building cleaners, Mr. B. Rae, Hon. Mr. Patten	4730
Social Assistance Review Board, Mrs. Cunningham, Hon. Mr. Sweeney	4730
Chelation therapy, Mr. Cleary, Hon. Mrs. Caplan	4731
Funding of employability programs, Mr. Allen, Hon. Mr. Sweeney	4732
Sewage dump site, Mr. Sterling, Hon. Mr. Bradley	4733
Rent regulation, Mr. South, Hon. Ms. Hošek	4734
Mining safety, Mr. Wildman, Hon. Mr. Sorbara	4734
Tourism industry, Mr. McLean, Hon. Mr. O'Neil	4735
Retirement communities, Mr. Owen, Hon. Mr. Grandmaître	4735
Tourism in northern Ontario, Mr. Hampton, Hon. Mr. O'Neil	4736
Landfill sites, Mr. Cureatz, Hon. Mr. Eakins	4736
Gasoline prices, Mr. Neumann, Hon. Mr. Wong	4737

Petitions/Pétition

Child care, Ms. Poole, tabled	4737
Cambridge Memorial Hospital, Mr. Farnan, tabled	4737
Control of smoking, Mr. McLean, tabled	4737
Municipal zoning bylaws, Mr. McGuinty, tabled	4738

Retail store hours, Mr. Keyes, tabled	4738
Sault Ste. Marie Jail, Mr. Morin-Strom, tabled	4738
Tax increases, Mr. Wiseman, tabled	4738
Teachers' superannuation fund, Mr. M. C. Ray, Mr. Adams, tabled	4738
Installations scolaires, M. Pouliot, dépôt de la pétition	4738
Tax increases, Mr. Pollock, tabled	4739
Teachers' superannuation fund, Mr. Cleary, tabled	4739
Report by committee	
Standing committee on government agencies, Mr. McLean, adjourned	4739
Motion	
Standing orders, Hon. Mr. Conway, agreed to	4740
First reading	
Education Amendment Act, Bill 173, Mr. Jackson, agreed to	4740
Committee of the whole House	
Education Amendment Act, Bill 100, Hon. Mr. Ward, Mr. Sterling, Mr. Pouliot, Mr. Daigeler, Mr. R. F. Johnston, reported	4740
Report by committee/Rapport émanant d'un comité parlementaire	
Select committee on constitutional reform, Mr. Beer, Mr. Allen, Mr. Harris, Mr. Offer, adjourned	4745
Comité spécial de la réforme constitutionnelle, M. Beer, ajournement du débat	4745
Motions	
House sittings, Hon. Mr. O'Neil, agreed to	4762
Report by committee/Rapport émanant d'un comité parlementaire	
Comité spécial de la réforme constitutionnelle, M. Beer, M. Pouliot, M. Morin, l'hon. M. Grandmaître, M. Furlong, Mme LeBourdais, M. Faubert, ajournement du débat ..	4762
Select committee on constitutional reform, Mr. Beer, Mr. Jackson, Mr. Miller, Mr. Morin, Mr. R. F. Johnston, Hon. Mrs. Caplan, Mr. Daigeler, Hon. Mr. Grandmaître, Mr. Furlong, Mrs. LeBourdais, Mr. Faubert, Mr. Fleet, adjourned	4762
Other business	
Dr. Algirdas Statkevicius, Mr. Fleet, Mr. R. F. Johnston, Mr. Sterling	4721
Access to information, Mr. R. F. Johnston, Mr. Speaker, Hon. Mr. Conway	4726
Copy of amendment, Mr. Pouliot	4739
Withdrawal of Bill 154, Mr. Philip, agreed to	4740
Business of the House, Hon. Mr. Conway	4745
Business of the House, Hon. Mr. Conway	4789
Adjournment	4790
Alphabetical list of members	4791

CARON
XI
-D13

LIBRARY
1988



No. 87

Hansard

Official Report of Debates

Legislative Assembly of Ontario

First Session, 34th Parliament

Wednesday, June 29, 1988

Speaker: Honourable Hugh A. Edighoffer
Clerk of the House: Claude L. DesRosiers



CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$16.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday, June 29, 1988

The House met at 9 a.m.

Prayers.

ORDERS OF THE DAY

REPORT,
SELECT COMMITTEE ON
CONSTITUTIONAL REFORM
(continued)

RAPPORT,
COMITÉ SPÉCIAL DE LA
RÉFORME CONSTITUTIONNELLE
(suite)

Resuming the adjourned debate on the motion for adoption of the recommendations contained in the Report on the Constitution Amendment, 1987, of the select committee on constitutional reform.

Suite du débat adjourné sur la motion pour l'adoption des recommandations contenues dans le rapport de la Modification constitutionnelle de 1987 du Comité spécial de la réforme constitutionnelle.

Mr. Speaker: Are there any members wishing to participate in the debate? The member for Northumberland.

Mrs. Fawcett: Thank you and good morning to you, Mr. Speaker.

I would like to open my remarks on this very important debate by expressing my sincere gratitude for being appointed to the select committee on constitutional reform. It would be quite safe to say that it has been a learning experience of a lifetime for all of us. I do not feel that any one member of the committee, and it is definitely true for me, considered himself or herself a constitutional expert before this committee's inception.

We, the members of this committee, have had the privilege of listening to and discussing with many learned groups and individuals, not only people who are constitutional experts, but also those from every walk of life that is representative of this great land of ours.

I would like to thank my colleagues who were permanent members of this committee and acknowledge their commitment to a process that has been both open and accessible. We were able

to show all Ontarians, indeed all Canadians, that this government respects the rights of all individuals to express their views. We learned that the Constitution is not an antiquated document that we read about in history books, but a living, breathing part of every Canadian, a part people feel strongly and care enough about to know that they want to be a part of the process which decides future constitutional changes in our country.

During the process of hearings and submissions, there were two aspects of the 1987 constitutional accord that appeared to receive unanimous consensus. The people of this democratic country of ours felt left out of the constitutional process and told us in no uncertain terms that this should never happen again.

History will bear out the fact that executive federalism has long been a part of Canadian constitutional life and has served us well for the most part. However, over the weeks of the hearings, we grew to realize that Canadians no longer want this to be the norm. Through this committee, they have shown their willingness to participate in constitutional reform. The committee's recommendation that would afford Canadians the opportunity to have input into future constitutional talks is one with which I wholeheartedly concur.

As all Canadians want to participate in the formation of our country through the constitutional process, so should Canadians in Quebec be afforded this right. The French fact has been evident since the founding of our country. It is interesting to note that when Henry Hudson claimed the territory around Hudson Bay for England in 1610, little did he know that only one year later Etienne Brûlé, a coureur de bois, would be exploring into parts of southern Ontario we know today and would claim them for France.

For 370 years, these two cultures have flourished as this country grew and progressed to nationhood, but now, without Quebec at the table, we as a country cannot move forward as a viable nation into the 21st century. Just as when a family has one of its members estranged from the group, and important decisions affecting everyone in that family either cannot be made or the decisions are not firm ones until all members are

operating in full partnership, there is a definite weakness, so too is it with our country.

Our history has witnessed numerous attempts to bring Quebec into the Constitution. Now we can participate in the making of history because the political will is there, and with the ratification of the 1987 constitutional accord, Quebec will become a fully fledged member of our constitutional family.

While there are many more aspects of this accord that have been and will be discussed, there is one area I would feel remiss about if I did not mention it. Over the course of the weeks of hearings, there were many individual women and groups of women who made very well thought-out and accomplished briefs to our committee. They related to us the long, hard, uphill struggle they experienced to achieve recognition. This was finally attained, through section 15 of the Canadian Charter of Rights and Freedoms, in 1982. In trying to provide us with some insight into their concerns, the relationship between sections 1 and 16 was repeatedly referred to as detrimental to the charter's sex equality guarantees.

Realizing these concerns, the committee has recommended that after the ratification of the accord, the Senate, the House of Commons and all provincial legislatures consider an amendment to the Constitution of Canada recognizing that the commitment to the protection and guarantee of the rights and freedoms of all Canadians constitutes a fundamental characteristic of Canada and that upon adoption of the committee's report by the Legislative Assembly of Ontario this recommendation become a resolution of the assembly and be directed to the Senate, the House of Commons and all provincial legislatures.

Native people, such as the band that lives in my riding of Northumberland, are deserving of recognition in the constitutional process. The many representatives of aboriginal groups expressed to the committee their feelings that the accord would actively diminish aboriginal rights. Their deep disappointment was demonstrated to us again and again in the failure of the accord to address the issue of aboriginal self-government.

0910

This committee is extremely concerned that Canada's aboriginal people be fully included in the Constitution. Acting accordingly, the committee recommends that following the ratification of the Constitution Amendment Act of 1987, the Senate, the House of Commons and all provincial legislatures consider an amendment to

the Constitution of Canada to elaborate the concept of fundamental characteristics so as to reflect the full spectrum of Canadian society, and that such an amendment be a full recognition that aboriginal peoples constitute a distinctive and fundamental characteristic of Canada.

As well, we felt strongly that we understood fully the disappointment about the failure of the accord to address the issue of aboriginal self-government. I felt this was of highest priority and was happy with the unanimous decision of the committee to address this in the form of the second companion resolution.

Another group of Canadians, namely, those who reside in the Yukon and the Northwest Territories, were very ably represented at the hearings so that their concerns could be emphasized. The picture of their government representatives knocking on the door when the talks were taking place and being denied entry is not something that should ever be repeated. They expressed their concerns about the changes in the appointment of senators and the filling of vacant seats on the Supreme Court of Canada. They felt these new provisions do not allow the Yukon and the Northwest Territories to nominate candidates to fill their Senate seats or vacant seats on the Supreme Court of Canada. We, as a committee, have recognized their concerns and dealt with them in the report.

They also point to another part in the accord which they felt would greatly jeopardize their aspirations for provincehood, that being, I know from my short visit there last summer, that the Yukon already has joint tourism promotion with the United States and that many of their activities are connected with the United States. However, they remain proud Canadians, and in order to encourage that feeling, we must ensure their participation in future constitutional negotiations. We must keep open the lines of communication between our most northern Canadians and the rest of Canada.

As the month of hearings went by, one thought remained constant and seemed to separate itself and emerge above all other concerns with the accord. We must welcome back Quebec into the constitutional family of Canada. The importance of this accord is paramount in the nation-building of our country. This building cannot be considered unless all provinces participate in the future constitutional changes we, as a nation, must face.

Countries are not static. They change over time. Any living thing is changing. The only changeless state is rigor mortis. Quebec repre-

sents approximately 25 per cent of the total population of our country. To leave them out of the constitutional process would greatly detract from the ability of constitutional changes to reflect the demands of today's society.

We have before us the opportunity to bring a large part of Canada back into the constitutional fold. Only after this is done can we best address the many other concerns our committee has had the opportunity to see and hear. I have confidence that should our recommendations be given full consideration these concerns will be addressed in future constitutional talks. I have faith that the people of Canada will want to continue to have a part in the formation of our Constitution.

I believe it is imperative that the people of this country come to know one another better in order to arrive at a national understanding and appreciation of the many diverse cultures and ways of life that contribute to this Canada we all share.

In closing, I would like to thank our chairman, the member for York North (Mr. Beer), for the great effort he put forth which allowed this committee to act in an open, accessible manner consistent with the government of today. The ratification of the accord in this Legislative Assembly will not only be a testimony to his and the committee's efforts but to all Ontarians, and so I ask all my colleagues for unanimous support in ratifying the accord at this very timely occasion, two days before Canada's 121st birthday. It is a most appropriate way for Ontarians to say, "Happy Birthday, Canada."

Mr. Laughren: I must regretfully tell the member for Northumberland that I cannot accede to her wish to make support of the committee report unanimous, nor can I make support of the Meech Lake accord unanimous in this chamber. Even if I were the only one, I simply could not do it.

I rise in opposition to this committee report, not out of any usual sense of enjoyment of political battle, which over many years I have grown to enjoy in this assembly, but I rise in this debate more with a note of sadness than anything else.

The sadness is because I do believe that as a country we had an opportunity to accomplish what I thought was the goal of Meech Lake, namely, to bring Quebec into the Constitution and get Quebec's signature on the 1982 Constitution. I thought we could do it without making it a divisive document. I still believe we could have done that, but regretfully, we did not do it.

The goal of Meech Lake was not complicated. The goal, as I understand it, was simply to get

Quebec's signature on the Constitution. Some people even refer to it as the Quebec round of constitutional talks, just as there was the aboriginal people's round of constitutional talks, which failed. If this was the Quebec round of talks, surely that was the goal, namely, to get Quebec's signature on the Constitution.

When one thinks of what Quebec's demands were, as I understand the demands as I read them and thought about them, they seemed to me to be quite basic. First, it was primarily to support their demand for the survival and development of Quebec as a French-Canadian society—I do not think anyone would quarrel with their long-stated desire to make sure that their French-Canadian society is sustained and nurtured—to recognize Quebec as a distinct society, which presumably is what is meant by that French-Canadian culture; freedom from federal encroachment on its areas of jurisdiction through curtailed federal spending powers; a veto for Quebec on constitutional amendments; a greater ability to shape and sustain its society by a control over selection and integration of immigrants; and, finally, greater protection at the federal level through a voice in appointments to the Supreme Court. After all, it is the Supreme Court which determines how the Constitution will affect Quebec in any future challenges.

To me, those were the kinds of demands that Quebec was laying before the first ministers and, to me, they were totally legitimate beginning points for negotiations to get its signature on that 1982 constitutional accord. They seemed to me at least to be reasonable.

You ask yourself, "Why then was the resolution of those demands done in a way that went way beyond Quebec and touched every Canadian? If those were the Quebec demands that were laid before the first ministers, why then was this so-called Quebec round expanded into areas and with some results that I and many other Canadians find truly offensive?"

Of course now, when some of us object to the way it went beyond the demands of Quebec, we are somehow painted as being anti-Quebec. What could be more ridiculous? As a matter of fact, I would probably lean more than most people towards supporting Quebec demands. It is totally nonsense to say to people who do not like the Meech Lake accord that somehow we would be writing off the opportunity to bring Quebec into the constitutional family.

0920

We all welcome Quebec into Confederation in a formal way, although it is not as though it was

not there already. I, as a native Quebecker, feel very strongly about Quebec being formally and in every kind of way part of the Canadian Constitution, but I refuse to accept the fact that this accord had to have everything which is in there now in order to get Quebec's signature on the Constitution.

Why, for example, when declaring and accepting Quebec as a distinct society, do we allow the potential erosion of the rights of women, the disabled and our linguistic minorities? What is the connection? Why was it necessary to undermine the feasibility of major new national social programs, programs which could address the needs of our most vulnerable and disadvantaged citizens? Why was it necessary to give every single province a veto over any future changes in key areas such as provincehood or changes in provincial or territorial boundaries? This makes future changes very difficult and certainly undemocratic.

And as Quebec is, according to the accord, a distinct society—and I think that was agreed; the first ministers had no quarrel with that: Quebec is a distinct society—why were our native people not included and classified also as a distinct society? Does anyone question that our native people are a distinct society? I think most of us accept that. Then why was it not in the Meech Lake accord? "Well," members have argued, "because this is the Quebec round." Then why, if it is the Quebec round, did they have these exclusions? That I find most offensive.

I should remind members as well, of course, that native people were not even consulted. Not only had the aboriginal talks just been a failure a month or two before the Meech Lake accord was signed, but then, as though to add insult to injury, they were not even consulted on this document, the Meech Lake accord; not at all, they were excluded and insulted.

Why, in order to bring Quebec into the Canadian constitutional family, was it necessary to treat the Yukon and the Northwest Territories in such a shabby way? What link is there between Quebec's five basic demands and that gross insult to the Northwest Territories and the Yukon? The answer: none. There is no logical link between getting Quebec's signature on the Constitution and what those first ministers, those 11 men, did to the Yukon and to the Northwest Territories. What possible link was there?

The Prime Minister and the first ministers sat down, and I can only call it, wilfully, methodically and deliberately, with absolutely no consultation, slammed the door on any future negotia-

tions with the Yukon and the Northwest Territories in constitution-building. They just slammed the door on them: no consultation whatsoever. Worse than that, these 11 men wrote into the Meech Lake accord that they would not be able to partake in any future nation-building. This is what they did. They said the provinces could extend their boundaries into the territories with the unanimous consent of the provinces and the federal government. No mention of the Northwest Territories or the Yukon. They said that the territories could be admitted as provinces with the unanimous consent of the provinces and the federal government. Just them: every single one.

Is it not wonderful? Prince Edward Island could decide that the Northwest Territories or the Yukon cannot be admitted to Confederation as a province in the future; not today, not tomorrow, but at some point. Tell me what relationship there is between doing that to our northerners and the Quebec round and the necessity of getting Quebec's signature on the Constitution.

Also, the accord wrote into our Constitution the requirement for further constitutional conferences without representation of the Yukon and the Northwest Territories, even though it gives the right of the provinces to extend their boundaries into the Yukon and into the Northwest Territories. What kind of undemocratic process are we ratifying here?

The federal government and the provinces had just finished using—I can only use that term—the Northwest Territories and the Yukon in attempting to negotiate aboriginal rights. They had just finished doing that the same year, a couple of months previously. They used the Northwest Territories and the Yukon because of their expertise on aboriginal rights, and then when it came time to negotiate their own future, they slammed the door on them. What kind of nation-building is that? I think that is truly offensive.

As well, the Meech Lake accord does not allow for the Yukon or the Northwest Territories to have any say in nominees for the Senate or the Supreme Court. Once again, it will perhaps be the Supreme Court that will make rulings on this Constitution, on the Meech Lake accord, vis-à-vis any kind of changes with the Northwest Territories or the Yukon. These 11 men simply turned their backs on 75,000 Canadians north of the 60th parallel. I cannot support an accord that does that.

Prince Edward Island, as I said before, can control its future.

Previously, as I hope most members know, seven of the 10 provinces representing half of the population could determine the future. Now all 10 must agree, along with the federal government. No other province, not one, suffered this indignity when it joined Canada as a province.

The Canadian Senate, certainly not a democratic institution, at least conducted hearings north of the 60th parallel. That is certainly more than the federal government did. It made what I would call some strong recommendations. I think it is important to read at least part of those recommendations into the record. It made seven recommendations.

"1. We recommend that the transitional procedure proposed under the Constitution Amendment Act, 1987 (Meech Lake accord) for the appointment of senators from provinces be applicable to the Yukon and the Northwest Territories...." What did that have to do with getting Quebec's signature on the Constitution?

"2. We recommend that the provisions proposed by the Constitution Amendment, 1987...by which provincial governments may participate in the appointment of judges to the Supreme Court of Canada be applicable to the governments of the Yukon and the Northwest Territories...." That is straightforward.

"3. We recommend that the proposed Constitution Amendment Act, 1987...be amended so that the elected representatives of the governments of the Yukon and the Northwest Territories will be invited to participate at all future constitutional conferences on the Constitution and the economy."

"4. We recommend that the proposed Constitution Amendment Act, 1987...be amended so that any change in the boundaries between the provinces and the territories would occur only with the consent of the territory concerned."

I really must elaborate on that. Can you imagine writing into our Constitution that one of the western provinces can simply extend its boundary north and take unto itself territory presently belonging to the Northwest Territories or the Yukon without consultation with the Yukon or the Northwest Territories? They can simply sit down with the federal government and the other premiers and do it with absolutely no representation by the Yukon or the Northwest Territories. They can make any kind of deal they want. What a ridiculous concept of nation-building that is, how cynical a concept.

"5. We recommend that the Constitution Amendment Act, 1987...be amended so that the attainment of provincial status by the Yukon and

the Northwest Territories be accomplished solely through negotiations with the federal government, subject only to the approval of the federal government and the particular territory concerned."

I ask, why should any province have a veto right on whether or not one of the two northern territories becomes a province? Members should ask themselves that. What possible reason could there be? It is a very sad comment.

"6. We recommend that aboriginal and treaty rights and the question of self-government be added as continuing items to the agenda of constitutional conferences convened under the proposed Constitution Amendment Act....Elected representatives of the governments of the Yukon and the Northwest Territories, as well as representatives of their aboriginal people, are to be invited as participants in relation to these issues." In other words, let them be part of these constitutional talks.

Finally, "7. We further recommend that as the proposed...(Meech Lake accord) recognizes Quebec as a distinct society it should also recognize that the aboriginal peoples of Canada constitute distinct societies."

Mr. R. F. Johnston: What happened to this report?

Mr. Laughren: Nothing happened to this report, and I would ask members to think about what is going to happen to the report of the Ontario select committee on Meech Lake. This was the Senate report. I would be happy to hear any members talk about whether those seven suggested amendments were unreasonable.

Let me ask the members another question. If, for example, the federal government had had the generosity to say to Quebec, "Your demands basically have been met through recognition as a distinct society and other things; now that we've done that, will you allow the Northwest Territories and the Yukon to have their demands met?" why would Quebec say no to those very simple seven basic demands?

I will bet that Quebec was never given the option of saying yes or no to those, and I will bet that it would not have said no. I cannot think of a reason it would. Why would Quebec be concerned about whether or not the Northwest Territories and the Yukon are part of the Constitution, are provinces, keep their boundaries the way they are, have some kind of say in the appointment of senators and Supreme Court justices or are allowed to take part in constitutional talks in the future?

I cannot think of a single reason, unless the provinces decided that this was the kind of deal that might stand them in good stead in the future. But, I ask, do we want to give those western provinces the right at some point to reach up into the Yukon or the Northwest Territories and take some land unto themselves? Is that what we want to set up as a potential for the future of this country?

0930

You think we have had divisiveness in the past; this is creating more. It is a very, very sad comment. The answer as to why this was done to the Northwest Territories and the Yukon is not a pleasant one and will not, in my opinion, sit very well when we are judged, as we certainly will be.

This is not a generous constitutional amendment. This is an amendment that some might want to describe as Senator Raymond Perrault, a Liberal, did. He said the Meech Lake accord is a "flawed tremendous achievement." I can see why he would say that it is a tremendous achievement to get Quebec in and get its signature on the Constitution, but it is flawed. Virtually everybody who defends Meech Lake confesses that it is a flawed document and apologizes for the constitutional amendment in one way or another but then goes on to support it.

Rather than calling it a "flawed tremendous achievement," I would call it a tremendously flawed achievement. There is a difference between a flawed tremendous achievement and a tremendously flawed achievement, and that is what I would call it.

My final comment on the effect of the Meech Lake accord on the Yukon and the Northwest Territories I would like to leave to Tony Penikett. He is the Government Leader of the Yukon. Mr. Penikett wrote a letter, I think, to all members. I will just quote the final paragraph of his letter, although his entire letter really should be part of the record. His final paragraph reads:

"Finally, I wish to assure you that we in the Yukon are as pleased as other Canadians to see national unity promoted through the signing of the Constitution by Quebec. This is a significant step for all Canadians, but it is not necessary to sacrifice the north to save Quebec. Our Constitution is not cut from a limited stock of cloth. We do not need to take from one jurisdiction in order to give to another. The inclusion of Quebec in the Canadian Constitution should not mean the exclusion of the north."

So said Tony Penikett, and I would like to agree with him totally.

In conclusion, I very much welcome my native province of Quebec into the Canadian Constitution, but I also regret very much either the incompetence or the wilful manipulation of those 11 men who negotiated the Meech Lake accord. I believe that history, if kind to them, will comment on their incompetence, and if harsh on them, will bemoan their parochial self-interest and manipulation.

Mr. McLean: I am pleased to have this opportunity today to speak briefly about the Meech Lake accord, which this government is so eager to have us support.

I must say that as a citizen of Canada living in Ontario I have some serious reservations and concerns about this constitutional accord.

Before I get into the main points I want to make today, I want to take this opportunity to point out that nine months have passed since the Liberals won a massive majority government, and this government has not used that time well. The government has used this time to learn how to put unpopular legislation through this House. The government has also learned how to ignore public opinion on some important issues which are facing Ontario.

A case in point is the government's handling of the Meech Lake accord, which is supposed to bring the province of Quebec back into our Canadian family. This accord will bring Quebec back into our family, but I believe the price will be too high for Canadian women, native people, the territories and our basic democratic process.

The government was forced by the two opposition parties to hold public hearings into the Meech Lake accord. A number of individuals and organizations took this opportunity to voice their concerns about the accord's failure to address the rights of women and native people, its shabby treatment of Canada's territories and the creation of a distinct society in Quebec.

These groups and individuals represented their cases forcefully and eloquently. They assumed they were taking an active role in our democratic process. They thought their voices would be heard. But I am sorry to say that these groups and individuals were wrong.

They were wrong because this government had no intention of incorporating the views expressed during the public hearings into amendments that would make the Meech Lake accord acceptable to all Canadians. In other words, the public hearings were a sham. We can only believe that this government prefers to waste valuable time and money staging phoney hearings rather than relying on public input which

could have resulted in innovative amendments to the Meech Lake constitutional accord.

This government's attitude on this and other extremely important issues facing the people of Ontario saddens and sickens me. This government has decided to ignore any input, whether it is from members of the public or members of the opposition parties in this Legislature, when it comes to dealing with the Meech Lake accord.

It was this government which chose to ignore the Progressive Conservative minority opinion on constitutional amendments. This minority opinion recognized the importance of Quebec returning to the constitutional fold. It truly would represent a significant moment in Canada's 121-year history, which we will be celebrating on Canada Day on July 1.

However, my party also pointed out that all the people of Canada and Ontario deserve to have a Constitution in which they believe they are included as full and equal partners. The Meech Lake accord in its present form does not accomplish this belief.

I have told my colleagues here in the Legislature on previous occasions that as a Canadian citizen living in Ontario, I have serious reservations and a great many concerns about this constitutional accord. I consider this to be a worrisome document which usurps the democratic process in Canada and Ontario. I am extremely uneasy because I believe the accord will have numerous unfortunate consequences for our people and for the future of this province and this country.

I applaud any move that results in Quebec rejoining our Canadian family, because this country cannot function as a whole unless all of its parts operate on an equal basis. But the Meech Lake accord, by designating Quebec as a distinct society, does not treat each province in Canada on an equal basis. That saddens and worries me a great deal. I cannot, in all good conscience, consider enshrining in our Constitution two separate groups of Canadians, or for that matter two separate Canadas. I consider this to be a step backwards and I am certainly not willing to take that step.

0940

As Canadians, we must be sufficiently flexible and tolerant to provide for a Canada that respects anglophones and francophones equally and fairly. I cannot support bringing Quebec back into the Canadian family if that means special treatment for only one family member and not the others. Special treatment like this will result in mistrust, intolerance, jealousy and hard feelings

among other members of our Canadian family. It could tear the country apart at the seams, and I am certain none of us wants that.

I must say that in my humble opinion, the Meech Lake accord has some serious flaws, in that it completely ignores women and native people in Canada. That fact alone should be proof enough to us all that this document needs considerable fine-tuning, in the form of amendments, before this province gives its stamp of approval.

Under the Meech Lake accord in its present form, the women and native people of Canada will almost cease to exist. Does this government really believe women and native people do not have a rightful place in Canadian society? Is this truly the government's belief? Then I find this belief to be totally disagreeable and distasteful.

Another area of concern to me is that the Meech Lake accord appears to relegate Canada's territories to the role of bystander in any future development of this country. Their role in intergovernmental relations and in determining their own future will be seriously diminished, if not wiped out altogether, under the Meech Lake accord. This accord will give every province a veto over the creation of new provinces and the extension of provincial boundaries into the territories, but it fails to provide any role for the territorial governments of Canada.

History tells us that each of Canada's 10 provinces was given the opportunity and choice to join in the creation of a country called Canada. I sincerely believe the territories should be given the same opportunity and choice. Should they opt for provincial status at some future date, the Meech Lake accord wipes out that opportunity and choice.

The democratic process is usurped under the Meech Lake accord in its present form, in that judges are given the power to impose legislation upon provincial governments without giving the people any say in the matter. Every government enacting any piece of legislation must and should be held accountable for that legislation by the voting public. If this accord, with its vague language and ambiguous meanings, is entrenched, the courts will want not only to interpret but also to define legislative intent and consequences.

We in this Legislature were elected by the people; judges were not. We are accountable to those same people who elected us; judges are not. Judges are appointed and are officials who cannot be held accountable for their actions by the people. The purpose of a judge is to interpret

laws enacted by elected representatives, like my colleagues in this Legislature, and only we are accountable to the public. It is the responsibility of politicians to enact legislation. It is certainly not the purpose, duty or responsibility of judges to do this job for us. That is not the way the system was designed.

I want to repeat the concerns I have with the Meech Lake accord. It should not have a "distinct society" clause for the province of Quebec. It should enshrine rights for Canada's women and native people. It should strengthen the role of the territories in the areas of intergovernmental relations and in determining their own future. It should not permit judges to impose legislation upon the provinces.

These are the concerns I have heard from constituents in my riding of Simcoe East. They are also the same concerns raised, in good faith, by numerous individuals and organizations that participated in the public hearings, which the government chose to ignore.

It is the duty and responsibility of my colleagues in this Legislature and in legislatures right across this country to ensure that Canadians get an accord that does not threaten their rights, their distinctions or their freedoms. The Meech Lake accord fails in this area.

The Premier (Mr. Peterson) has indicated that the free trade deal is flawed and we should not agree to it. He admits the Meech Lake accord is flawed, but wants us all to deal with it and support it. Is that leadership? I say not.

Thank you for the opportunity to say a few words on the Meech Lake accord.

Hon. Mr. Phillips: It gives me a good deal of pleasure to participate in this most important debate. As Minister of Citizenship, I of course have the responsibility, on behalf of the government, for implementing our multicultural strategy, and therefore I am keenly interested in the whole area of provisions within the accord dealing with our cultural communities and whatever effect that may have on our cultural communities.

As members of the House are aware, the select committee on constitutional reform presented its report last week. I am keenly aware that many of the groups that appeared before the committee represented our multicultural communities. I take this opportunity to thank those communities very much for participating, for their thoughtful comments to the committee, for their intense interest in this very important debate and, I think it is fair to say, for adding some important

dimensions to the ongoing discussion and re-examination of our national destiny.

I was very struck by the comments in the report indicating, I guess, what they said was perhaps the most important observation they had; that is, during the hearings, the thing that struck them was the strong commitment of Canadians to the protection of rights and freedoms. In the words of the committee, and they jumped off the page at me: "Such a commitment has clearly become an essential feature of the Canadian political community. It represents a common value and aspiration, which gives vitality and meaning to Canadian citizenship."

Again, I say that I appreciate very much the contribution the cultural groups have made to this constitutional reform process. I think it clearly reflects a shared commitment to the protection of rights and the preservation of diversity which have become so much an important part of Canada.

I want to comment specifically on three concerns that were raised by the various delegations of the multicultural community before the select committee. I think it is fair to say that they can be characterized in three major areas. One is a concern that somehow or other our multicultural society was not recognized as a fundamental characteristic of Canada in the way, for example, linguistic duality was. I think the second concern that seemed to emerge was that somehow or other the "distinct society" clause in the Meech Lake accord would threaten Charter of Rights and Freedoms equality rights for groups, including the multicultural community. The third concern, I guess, was that section 16 of the Meech Lake accord is not a guarantee of multicultural rights, but is subject to interpretation by the courts and possible override by section 1.

Each of us has to reach his own conclusions on those three issues that were raised. I personally have reached my own conclusions and I would like to share them with the House, first on the issue that the multicultural society is not recognized as a fundamental characteristic.

I think the select committee did a fine job of pointing out that section 1 of the accord identifies linguistic duality as one—not all, but one—fundamental characteristic. It does not suggest this is the only fundamental characteristic of Canadian society. I think it is fair to say that linguistic duality was singled out in this accord because this round of constitutional reform focused on Quebec's concern with the Constitution. I am personally satisfied that the issue of multicultural society is by no means limited by

this definition and that linguistic duality is just one of many fundamental characteristics.

0950

The second issue of concern is the concern that has been expressed that the "distinct society" clause in the Meech Lake accord threatens charter equality rights for our multicultural community. Again, I recognize that there was a different opinion expressed to the select committee, but as for me, I believe the "distinct society" clause in the accord operates within the context of the Charter of Rights and Freedoms. In other words, in my opinion, the charter is supreme. The charter equality rights are of concern to the multicultural groups, but will not be affected by this accord.

The third issue that emerged—again, I have my own conclusion on it and I believe it is backed by the wealth of evidence from the select committee—is that there is a concern that section 16 of the Meech Lake accord is not a guarantee of rights, but is subject to interpretation by the courts and possible override by section 1.

In my opinion, inclusion of section 16 explicitly affirms that Quebec cannot pursue its position as a distinct society at the expense of multicultural heritage. Both section 1 and section 16 of the accord are interpretative and do not grant rights. Equality rights are protected under the charter and these rights are not affected by section 1 of the accord.

Those are my feelings on those three contentious issues raised by the multicultural community during the select committee's hearings.

Frankly, I am very appreciative of the work of the select committee in terms of it being exceptionally sensitive to this whole area of concern by our multicultural community. I am particularly heartened by four recommendations that come out of the select committee's report that certainly provide for me, and I hope for our multicultural community which has expressed real feelings of concern, further assurance that this accord in no way detracts from its rights. I will quote those four recommendations.

The first, of course, is that the committee is recommending "that the Legislative Assembly of Ontario establish a standing committee on constitutional and intergovernmental affairs;" an important step, in my opinion.

Second, "The committee recommends that the new standing committee on constitutional and intergovernmental affairs undertake to examine the issues identified in the Constitution Amendment, 1987 as agenda items for future first ministers' conferences on the Constitution." The

issues of concern that were raised by our multicultural community will, as I say, be put on the agenda of the first ministers' conferences.

The third recommendation of importance to our multicultural community is, "The committee further recommends that the new standing committee on constitutional and intergovernmental affairs begin the investigation of the following issues, and that they be included on the agenda of future first ministers' conferences on the Constitution." Multiculturalism is the first issue raised there.

Last, and perhaps most important, is recommendation 9. I know the members are familiar with it, but I will repeat this recommendation because it is important to the concerns of our multicultural community, "The committee recommends that following the ratification of the Constitution Amendment, 1987, the Senate, the House of Commons and all provincial legislatures consider an amendment to the Constitution of Canada to elaborate the concept of 'fundamental characteristics' so as to reflect the full spectrum of Canadian society and that such an amendment be...a recognition that our multicultural heritage and Canada's commitment to equal respect for the many origins, creeds and cultures that shape our society constitute a fundamental characteristic of Canada."

I believe these recommendations indicate strong support for the concerns raised by our cultural groups at the hearings. They reflect, in my opinion, the adoption of a vision of Canada as encompassing a diversity of cultures and lifestyles, all of which should be equally recognized and protected.

With these strong recommendations of the report in hand, and also important, with Quebec as an active participant, I believe we can look forward to the future enhancement of rights and freedoms and the preservation of cultural diversity in this country through the vehicle of ongoing constitutional reform.

As Minister of Citizenship, I remain totally committed to the further promotion of multiculturalism through our multicultural strategy and through working with this ongoing constitutional reform. I hope our multicultural communities feel comforted that, first, they are protected; and second, their concerns have been listened to in, I think, the fine work of our select committee and reflected in its recommendations.

Mr. South: It gives me great pleasure today to speak in support of the Meech Lake accord. I ask the members of the House to think of our

Constitution as being very organic and a growing thing.

The accord fundamentally—its most important point—brings Quebec into the Constitution. It brings Quebec fully in as an active partner in Canada. Perhaps the next round will be about women's rights, minority rights and the rights of our founding people.

I believe we have always existed as Canadians. It is not that Canada is logical. When we think of a mass of land stretching to three oceans and covering over 4,000 miles, with a climate that ranges from benign to very hostile and with a great variety of ethnic groups, there is nothing very logical about it. It would be more logical and reasonable for us to join the United States and be Americans, but our forefathers believed we were Canadians and that Canada had a destiny on this continent of North America which was different from that of our neighbour to the south.

Saying we are different from our southern cousins is not to say that we are right and they are wrong, that we are good and they are bad, but that we are Canadians and we are different.

When we think of this accord and that it may change our Constitution, we worry that it is not perfect. Many years ago, I entered into a marriage contract which in the light of present-day knowledge is not perfect. Some members in this House who are as old as I am may remember that old phrase "love, honour and obey." Many feminists today find that phrase very objectionable and they would say that old marriage contract, that old marriage accord, was flawed. Yet many of us made it work; many did not make it work. But I say that even with a perfect accord, a perfect Constitution, those who do not want it to work will see that it does not work.

I believe this country will continue to exist as long as the majority of us believe in it. I do not care how perfect our Constitution is. When the majority of Canadians cease to believe in themselves as Canadians with a separate destiny, then this country will no longer exist.

For many of us, the mystique and the gobbledegook of the legal jargon that forms contracts or Constitutions such as this just confounds us. We have many legal experts who say the accord is a good document for Canada. We likely have an equal number who say it will destroy Canada.

I believe the political opportunists, the mean-spirited among us, will do their best to take advantage of any document, including this one, but I personally believe in the future. I believe we

will continue to exist as Canadians and take the best part of this accord in our Constitution.

1000

If we say this accord is flawed, do any of us believe the British North America Act was perfect? How much consultation was there in the formation of the British North America Act? Here was an act that formed a new country and was formulated by a foreign country and for the first 100 years or more of its existence was interpreted by a foreign country, and often not to the advantage of the captive party to the agreement, that being Canada. I believe the decisions which were frequently rendered in the House of Lords in England were really to the detriment of a strong central Canada; so we had a flawed document and we had a prejudiced group that was interpreting that document, yet Canada exists today. Canada exists today because of the will of Canadians, because Canadians want it to exist.

I would like the members to reflect on our past. I am sure all of us can point to mistakes in our past, things we have done which we ought not to have done and things we should have done which we did not do. We are part of our history, we are part of our past and we are Canadians. Fifty years ago I was proud to be a Canadian and today I am proud to be a Canadian; yet I believe our country today is a much better place, a more perfect society than we were then.

I wish to emphasize how organic this Constitution is and that this accord is merely one step along the way to the destiny which we are fulfilling on the North American continent. We have survived the past, not because of the perfection of the documents or the contracts that bound us together as a nation, but because our forebears willed it and worked at it.

I say to all of us, let us embrace the complexity and the challenge of the accord and have faith and trust in ourselves as Canadians. We have had a great past, and I believe we will have a richer and better future. We are Canadians and we are here to stay.

Mr. McGuigan: I want to join other members of this House in congratulating the member for York North (Mr. Beer) and the members of the select committee on constitutional reform for the report they have laid before this Legislature. I consider it a great privilege to speak in favour of the Meech Lake accord and later today to join so many others to pass the report presented by the committee and the resolution presented by the Premier.

It was my great privilege in opposition to speak and vote favourably in the Constitution debate of May 1980. Unfortunately, the Constitution of 1982 failed to achieve the complete unity of Canada.

One of the fundamental reasons I decided to run for office in this great province as a member of the Liberal Party of Ontario was that the leader of the government in power in 1977 was silent on events that began in 1976 in our sister province of Quebec. The government of that province had the avowed intention of leading that province out of Confederation. The leader of the Liberal Party of Ontario spoke up in favour of Canada at the annual convention early in 1977. At that convention, I decided to cast my lot with the Liberal Party and seek the seat being vacated on June 9, 1977, by Jack Spence, then member for Essex-Kent.

My leader today speaks for the government of Ontario and he speaks positively for the future of this Canada and the place we hope Quebec will take in our Canada.

On a personal note, I am pleased to point out that on my mother's side of the family, my late mother traced her family back to one of the great families in Quebec. My mother's grandmother was Julia Anna Le Moyne, born in Quebec in 1820, second wife of Lieutenant-Colonel Charles Lionel Kirwan Fitzgerald. She died in 1878 at Simcoe, Ontario. The Le Moyne family has been traced back to Jean Le Moyne, who was born in 1634 or 1640 at Pitres, France. He and his brother Pierre arrived in Quebec in 1655. If you visit the city of New Orleans, as I did in 1985, you will see a statue of Jean Baptiste Le Moyne, who is credited with being the discoverer and founder of Canada South and the city of New Orleans. There is a street in the French quarter called Le Moyne.

My claim to French ancestry goes back five generations and the blood lines are long since diluted. What is important is the fact that my family recognizes a distinct pull out of the past history of this great country from one of the founding families who lived in one of the four founding provinces which came together in 1867.

My great-great-grandfather on my father's side, William McGuigan, was born in county Antrim in Northern Ireland and his wife, Mary McGregor, was born in the same year at Annet Glen in Scotland. These people arrived in Pennsylvania in 1832 and in the hamlet of Buckhorn, later renamed Cedar Springs about 1838. Our family predates Confederation and I

hope will post-date a more perfect Confederation in Canada.

It is fundamental to me, and I believe to most of the people of this great province, that this Confederation shall not fracture. The possibility that Canada would fracture is a possibility that I find very difficult to accept. This Canada of ours has a history that is unique in the history of the world.

I must confess at this point that I am an avowed nationalist. I point out that Canada's home territory has never been scarred and violated by international war nor by civil war. Our people have participated in international war, but our lands have never been scarred by international war. More important, they have never been torn apart by civil war. Civil war destroys the very soul of a nation. We have never been scarred by being a ruler over another country. The ruler, I submit, suffers the greater harm to his or her soul than do the ruled. We have never tried in Canada to impose a melting-pot society on the people of the world who have come to call Canada "My Canada."

It is worth noting that in my riding of Essex-Kent, and more particularly in Kent, the various clubs established by immigrant Canadians in the 1930s and the 1940s are now closing because the later generations have dropped the hyphen from their citizenship. While they have dropped the hyphen, they still retain the rich culture and tradition that has enriched the lives of all of us.

I point out that there is a large population of French background, many of whom are franco-phones, in the riding of Essex-Kent, particularly in the municipalities bordering Lake St. Clair. On the streets of Pointe-aux-Roches you will hear French spoken as the language of social and commercial interchange. The town of Belle River and the adjoining townships boast a rich French culture and heritage. We in Canada have never been prisoners of a particular ideology. We have embraced a mixed economy because such an economy fits our northern climate, our northern geography and our northern soul.

I believe the accord fits Canada of the late 1980s. I do not believe that the accord will stand for all time any more than the Constitution Act of 1791 and the bundle of acts that made up the British North America Act of 1867 stood for all time. This country, because of its unique background, has the flexibility, it has the character and it has the respect of the democratic process that will accommodate the changes that will undoubtedly be needed in the future.

1010

Our parliamentary democracy differs fundamentally from the republican system of democracy. Under our system, members of the House of Commons or legislatures of this country offer themselves as representatives and as members of particular political parties. Very few ever run or are elected as independent members. Party policies under our system are based on policies which are believed to be in the best interests of the province or of Canada. In the republic with which we share this continent, individual members of the Congress represent the narrow interests of their constituents and they form coalitions with other interest groups so that too often the Congress becomes a collection of powerful economic interests.

I believe today, as it was in 1867, that Canada shall not fracture and be absorbed into a culture and a republic which we have always seen as a good neighbour, a friendly and strong ally and as a great trading partner, but nevertheless, a culture and a system which we find foreign to our culture, our history and our ideals.

I believe the acceptance by this Legislature of the resolution before us will result in our Confederation taking a step forward. I do not believe that we in this House or in the other legislatures or in the House of Commons should be so egotistical as to think we have the ultimate wisdom, that only we can forge the perfect Confederation. I believe perfection will be attained by other Canadians at some other time, just as we are improving our Constitution agreements of 1867 and 1981.

I urge all members to support the resolution before us in the hope and confidence that Canada will never fracture.

Mr. McGuinty: The issue of Meech Lake is one which impresses upon us the seriousness of some of the business we are up to in this House. I think that each one in his or her own way has agonized and undergone soul-searching on this matter. I think it is an issue which strikes a responsive chord in all of us, for it deals with a vision of Canada, a vision of the kind of country we will pass on to our children and to theirs.

There is an old principle which maintains that our knowledge and understanding in whatever area are conditioned always by the point of view of the observer, and so it is. I have lived in the shadow of Quebec and within Quebec for much of my life and that experience conditioned my view, initially, of the accord.

I recall Quebec in the days of René Lévesque, a man of happy memory and I think perhaps the

most honest man in my experience in Canadian politics. My initial reaction to the accord was influenced accordingly. Very frankly, my first interpretation of it was as an effect of Quebec intimidation of the rest of Canada, and I looked at the accord with some concern and some suspicion.

As a member of the select committee on constitutional reform, at least as a part-time fill-in, and as one who examined most of the briefs which were submitted by so many concerned and thoughtful groups and individuals, I was deeply concerned and shared some of their concerns. I was concerned about the situation of the anglophone population within Quebec and the francophone population without. I was concerned by the problems put forth by native groups and by women. I was concerned about the spectre of balkanizing Canada, about the possible serious harmful implications of the distinct society and about the phrase "national objectives" with regard to federal grants.

I discussed these matters with a lot of people. With my brief experience with the constitutional reform committee, two presentations in particular stood out. One was from J. W. Pickersgill, a man well known for his wide, extensive experience in constitutional matters. Another was from an old colleague, Gordon Robertson, former clerk of the Privy Council. I think between them they probably had 70 or 75 years experience in dealing with constitutional issues.

I recall vividly that Mr. Robertson began his brief by stating that in his view perhaps the Meech Lake accord had some warts but was basically sound. I was presumptuous enough to take issue with the imagery used and respectfully suggested that a wart is something which appears only on the surface of the body, a cosmetic thing that can be removed; it does not influence the wellbeing of the body as a whole.

Like many of my colleagues of whatever party, I read, thought, discussed and agonized long and hard about this matter, and when the report was brought to us a few days ago, I reviewed it, analysed it and discussed it. I read it, interpreted it and reacted to it in the context of I think three basic principles, fundamental principles which politicians should bear in mind.

First, politics is not a science. It does not have the scientific attribute of certainty and predictability but rather politics is an art. Politics is the art of the possible. I think the accord embodies what is possible here and now in the context of the Canadian scene as it is at this time.

The second principle: Politics is a game but it is a game to be played by idealists without illusions, and politicians who operate only in terms of the pragmatic, from the here and now, do the art of politics a great disservice. Whatever idealistic views we have about the way we would like things to be, we must reconcile those ideals with a frank, realistic recognition of the situation at hand. All of us share idealistic views and notions about the things we would like to be but we must reconcile our ideals with a frank and realistic appraisal and acceptance of what is possible in the practical order here and now.

Finally, a third principle: In politics we must be stimulated by vision, by hope and by faith, not merely by pragmatic concern for the need to jump from ice floe to ice floe as they come along; and faith is indispensable—adjunct to vision—faith in the desire and ability of Canadians in years to come to refine further and perfect that which is not engraved in stone but is there to be refined and further perfected in the light of experience.

In this regard, the recommendations which are an integral part of our report are geared to take in the kind of concerns that bothered me for some time. It is probable that in the life of this government we will deal with no other matter of such significance. We are proud of the leadership which the Premier has provided with regard to this matter and I am proud of my colleagues who have done an outstanding job in bringing this resolution to us. I am delighted to support it.

1020

Mr. Sterling: First of all, I want to thank the members of the committee for their long and arduous work with regard to the Meech Lake accord, particularly the chairman, the member for York North. I want to also thank my two colleagues, the member for Parry Sound (Mr. Eves) and the member for Nipissing (Mr. Harris), who kept us well informed of the committee's work. I did have the opportunity of sitting on that committee from time to time and listened to a number of the presentations to that committee. However, I believe its task was an impossible one.

I would like to comment briefly on the method by which the Meech Lake accord was decided, and in particular the conditions under which the committee was placed with regard to dealing with the ratification process of the Meech Lake accord. One of the conditions which comes out very clearly to one is that if any changes were proposed to the substance of the amendments, then each Legislature, even if it had passed an earlier version, would have to do so again. So the

committee was faced with what I believe was an impossible task, whereby it was being continually reminded of a significant number of flaws with regard to this accord but was given no room in order to move.

I would have liked our province and our Premier to have taken an enlightened approach to this particular process. The member for Scarborough West (Mr. R. F. Johnston) in particular, I think, outlined the problem with the democratic process which this Meech Lake accord went against so strongly. What I would have liked to have seen is some imagination on the part of our province in addressing the restrictions that were placed upon the ratification of the Meech Lake accord.

I would have liked some Premier, or even our Prime Minister, to have called together all of the legislators in our country—be they federal, be they provincial—to talk about the clearly recognized faults of this deal. Unfortunately, we did not have that kind of leadership. The 11 stuck together. They said: "We're not going to consider any kind of amendment. Come hell or high water, either we will vote yes or we will vote no."

I see this Meech Lake accord as a weighing of the positives versus the negatives, as many of the members have pointed out before. Where I start out from with regard to this is the whole point of bringing Quebec into the Constitution, because this is purely a symbolic gesture on our part. Quebec is legally a part of the Constitution of Canada today; it was in 1982, as it was in 1867.

I have had the privilege of sitting at the constitutional table with the Premier of a province when I served in the executive council or the cabinet of Ontario. Quebec was at that table at that time and has continued to be at that table. Quebec spoke at that table at that time and has continued to speak at constitutional conferences. The only difference between Quebec and the rest of the provinces was that Quebec never cast its vote. All it had to do was raise its hand and that would have effected what in fact the Meech Lake accord is trying to effect here. So in weighing the positives and negatives, we have come to the situation where we are putting the positive of symbolically having Quebec enter into our Constitution versus many of the other problems.

I pointed out the irony of the present situation in my previous speech on the Meech Lake accord; that is, in order for the Meech Lake amendments to be lawfully adopted, we will need the signature of Quebec. Thus, Quebec will

have to act according to the Constitution, which it claims not to be subject to, in order to become a party to it. That is the conundrum that Quebec and the rest of Canada find themselves in. Therefore, the signature of Quebec is a symbolic gesture only. It is important—I do not lessen the importance of it—but we must also look to the many negatives that were so clearly outlined to the committee in many of the briefs and in reading over the accord.

I want to point to the report itself. I realize there was a great deal of work and I realize the restraints under which the committee was placed. In essence, what the report says to me—and I have had the opportunity to read it through—is: “The Meech Lake accord is badly flawed, but we will support it. Now, let’s get on with reversing just about everything in the deal, save and except bringing Quebec into the Constitution.” That is not satisfactory to me. This accord is bad in a number of aspects which I find almost overwhelming.

First, it encourages provinces to opt out of rather than into social programs introduced by the federal government. It compensates provinces for going out on their own and bringing in different social programs, different social structures across the provinces in our country. I believe there should be a standard that is set for all our Canadian citizens and there should not be different standards across our country in certain social areas.

Second, I believe that the accord is grossly unfair to the people of the Northwest Territories and the Yukon. They cannot nominate judges to the Supreme Court of Canada, as every other province can. They cannot nominate people to sit in the Senate of Canada. The last point, and most important, is that their aspirations for provincial status are virtually lost for ever, as this kind of creation of a new province requires unanimous consent of all provinces before a new province is created.

Third, I believe Senate reform will be almost impossible. There is a real danger within the halfhearted change to the present structure that an undesigned mandate will be developed by provincial senators, who will take up seats in Ottawa and believe that they have an elected mandate rather than that they have been appointed to that body.

Fourth, I believe there are legitimate and genuine concerns that have been raised regarding aboriginal and women’s rights. Those rights and those parts of the charter which will be infringed

by the accord should be addressed before this constitutional change is made.

Last, and I think most important for me, is that I believe this accord further weakens our central government. I believe not only have we further weakened our government by what we have done in the accord but we have upset our historical balance of negotiations between the provinces and our federal government. We have further strengthened the hands of our provincial premiers in future constitutional negotiations.

1030

I have not come easily to the conclusion to vote against the resolution which is before us today. The symbolic inclusion of the province of Quebec in our Constitution is a somewhat overwhelming argument in favour of the accord. But I must admit that in the past weeks, I have decided that I should vote against this Meech Lake accord on the basis of what is happening in Ontario today. This relates to this province’s reaction to a federal government initiative which is the focus of great political attention in our country; I am, of course, talking about our free trade deal.

We apparently have in this country the ability of one Premier to try or apparently attempt to scupper or foul the will of our federal government in an area of jurisdiction which I feel and many other countries feel, and I believe every thinking Canadian feels, should be the jurisdiction of our federal government. Surely, our federal government must have the power to negotiate and implement international treaties dealing with trade. Yet we have a Premier who is attempting to use his powers to go against the will of our duly elected federal government.

Regardless of the position members may take on our free trade agreement, whether they are for it or against it, I ask them only to consider what other countries must be looking at when they look at Canada. They are saying, “You have a federal government which we thought could make a deal, but you have a Premier, representing one tenth of the country or one third of the country, whichever way you want to look at it, population- or province-wise, saying he is going to stop the right of the federal government to make a deal.”

I look back to the historical context and my understanding of what happened in the past when premiers and our federal government differed on different issues. In the past, basically what has happened with regard to that whole matter, when a Premier of our province and the Prime Minister of our country differed on issues, is that the

Premier of our province would yield to the will of our federal government and say, "We disagree with you, Prime Minister, but you are the Prime Minister of our country and therefore we will support you in the final analysis."

Yet we seem to have, as exhibited in our very own province on the free trade issue, a situation where we are now having not only what I consider individual separatist tendencies issued by the province of Quebec, but also the same kind of individual action on the part of the province of Ontario by this Premier sitting across from us here today.

Therefore, in the final analysis, this accord—and no one has ever challenged this particular statement—further strengthens our provinces to the detriment of our federal government's powers. My concern and my belief is that Canada is fast becoming ungovernable. I believe this accord will lead to greater discord in the future rather than accord and unity among the other provinces and areas of our country.

Let me finally say that I want to thank my leader, the member for Sarnia (Mr. Brandt), for allowing our caucus to vote as our will should see it. I believe and he believes that the Constitution is a matter which will live far beyond any of our political careers in this Legislature. It is a matter that does not require party unanimity, and I thank him for the opportunity of voting freely on this issue.

I also congratulate the leader of the New Democratic Party for allowing members of his caucus to vote as they see fit with regard to this issue.

I do understand that the Premier has dictated to his caucus that he wants unanimous consent, unanimity with regard to the voting of the Liberal government and back-benchers on this issue. I do not agree with that particular position by the Premier. I think it is not a sign of strength; it is a sign of weakness. I believe that on certain issues, and I hope that the media will see this particular issue as one of them, each and every individual member should vote according to his conscience and his constituents' wishes.

I would like to say, finally, that should some Liberal members decide to come into this Legislature and vote according to their conscience against this Meech Lake accord, I would like to congratulate them in advance, because they take a much greater risk than I do or members of the New Democratic Party do in taking such a stance. I want to congratulate them on their courage, because the consequences to

them will be much greater than they would be to any one member of the opposition parties.

It is with some regret that I will vote against the Meech Lake accord, because I think the symbolic inclusion of Quebec is important. But we cannot do it with regard to this badly flawed deal, a deal which I believe will lead to a detrimental situation in our governing of Canada in the future. Therefore, I will be saying no to the report and no to the resolution supporting the Meech Lake accord.

Mr. Cordiano: I rise as a member who sat on the committee on constitutional reform over the last five or six months that we have been meeting as a committee. I see some of my colleagues who sat with me on that committee here today and I would like to congratulate them on the work that they did and to let them know how pleased I was to work with them over the past five to six months.

We truly embarked on a journey when we started this process. Some have said that we may very well be able to go off and teach constitutional law. I doubt that, of course, but certainly I would say we approached this in the first stages not knowing much about the inner workings of constitutional law, and I say this to you, Madam Speaker, who was also a member of the committee and is learned in the law as well.

Certainly we discovered that as far as constitutions are concerned, they are very complex documents. At the same time, we also discovered that constitutions are now living and breathing documents and they should be that. They should become more accessible to people, more easily discernible to people.

We have attempted to stress in our report that we now believe all Canadians must play a role in shaping our constitutional makeup, in shaping the reforms, the amendments that we bring to the Constitution which help to determine the view or the vision of the country. I believe we have pointed this out in our committee report because it is certainly one of the key aspects of the entire hearings process that we had.

1040

We soon discovered that the process was somehow in need of repair, that the process which had worked over the last 120-or-some-odd years perhaps was not suitable to today's needs. Certainly there is a place of paramountcy for executive federalism. The premiers and the Prime Minister of the country inevitably need to sit down and to talk about the pressing concerns, be they constitutional or economic or otherwise.

But I believe that the people of our country have now said to us very clearly that there is a place for the individual to sit at the table, to bring his or her concerns before legislators. We have recommended that this Legislative Assembly have a standing committee to look into matters of a constitutional nature with a view to further constitutional reform.

We have also recommended that this committee look at constitutional matters across the country on an intergovernmental basis. I believe that is an important first step to including a wide variety of people in the process.

Throughout our hearings, we heard from a wide variety of people. The hearings were open and accessible. We sat for days additional to those we were granted initially because we had need to hear from many people. We gave them an opportunity to come before the committee; we did not cut them off at a too unreasonable length of time. Of course, the committee hearings were very long.

I would like to get to what I believe is the heart and soul of the report we made. Before I do that, I would like to point out one other viewpoint which I think is essential in all of this. I heard some of my colleagues speak yesterday on this matter.

The member for Nipissing said he rejected the vision of the country set out by the former Liberal Prime Minister, Pierre Elliott Trudeau. He said he did not believe his vision was one which squared with the reality of Canada today and he did not believe in bilingualism. One of the reasons he supported the Meech Lake accord was the fact that there is a new reality and that this reality was contained within the Meech Lake accord.

I would like to disagree with my friend the member for Nipissing and suggest that there is indeed a vision within the accord; there is indeed a vision of a country made up of a dualistic nature. There is explicitly stated in the accord the concept of dualism, which I believe recognizes French-speaking Canadians and English-speaking Canadians across the country.

In fact, the Meech Lake accord ensures the preservation of the French-speaking minority outside of Quebec. I would like to quote from the section of the accord; the words are very clear. Here it is in paragraph 2(1)(a), "the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in

Quebec, constitutes a fundamental characteristic of Canada."

On the role of parliament and legislatures, it states, "The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristics of Canada referred to in paragraph (1)(a) is affirmed."

That clearly states that it is the role of the parliament of Canada and the provincial legislatures to preserve that French fact, that French minority outside of Quebec. Consequently, the Meech Lake accord takes us one step further in that concept of dualism in this country.

I believe, however, that there are many other important features, other fundamental characteristics which have not been clearly indicated or clearly spelled out in the Meech Lake accord. I think our committee has grappled with that, and it really brings us to the crux of the report we have before us and the report we are considering. That has to do with the whole question of recommendation 9. I would like to spend a little time on that now.

Recommendation 9 essentially indicates that there are other fundamental characteristics about this country than the ones stated in section 1 of the Meech Lake accord, that there are indeed French-speaking Canadians in and outside of Quebec and English-speaking Canadians in and outside of Quebec. There is this other fundamental aspect of Canadian life, containing within it various characteristics, that is an expression of what Canada is all about.

To me, this is a very, very important feature of what we are recommending. It was important enough to make this a resolution of the Legislature. Once we pass this report, recommendation 9, along with recommendation 10 on the aboriginal question, become resolutions of this Legislative Assembly. We are sending a clear signal right across the country that this Legislative Assembly firmly believes in the concepts stated within these two recommendations.

I would like to talk about recommendation 9 for a while and why I think it is absolutely crucial that we consider this in the future. Recommendation 9 in our report, as I have stated, deals with the concept of fundamental characteristics in addition to the one elaborated on in the Meech Lake accord. It calls for "a recognition that aboriginal peoples constitute a distinctive and fundamental characteristic of Canada; a recognition that our multicultural heritage and Canada's commitment to equal respect for the many origins, creeds and cultures that shape our society constitute a fundamental characteristic of

Canada; and a recognition that the commitment to the protection and guarantee of the rights and freedoms of all Canadians constitutes a fundamental characteristic of Canada."

These are the three fundamental features of this recommendation. I use that word "fundamental" because I believe that if we are to proceed with future agenda items, this must be one of the most important items on that list in addition to recommendation 10 which deals with the aboriginal question; these are the two essential components of our report.

The reason we arrived at recommendation 9 was that we heard from a variety of groups, as I have pointed out, ethnic groups that were represented by their various councils and women's groups, that said to us they feared they had lost something in the Meech Lake accord, something they had essentially gained in 1982.

We grappled with this question throughout the entire period of time that we sat as a committee. It was a very difficult question. I understand that there is a minority report, and I want to say something about that very briefly later on in my remarks, but I do want to focus in on this. We said to ourselves, "This is the aspect of the accord which we have to deal with in a comprehensive way."

What we identified essentially was that section 16, which women's groups have said to us establishes a hierarchy of rights, must be amended or must be viewed such that it would contain sections of the charter to guarantee that equality rights would not be adversely affected by the accord.

When we discussed this among ourselves, we said: "If section 16 is a difficult section and it gives the perception or the notion that there might be a creation of a hierarchy of rights, then why not remove it altogether? Why not remove it and add to section 1 of the Constitution the features of section 16 which are important to the accord?"

Some have said these are superfluous and were added because of an extra degree of caution on the part of first ministers. Some have said that; I do not believe that. I think it was necessary to have section 16.

On the other hand, I think it is fundamental that we include these concepts which we have spelled out in recommendation 9 with respect to fundamental characteristics. Those must be included in section 1 of the Constitution. It is an essential feature of our Canadian existence, the reality today in this country, as we evolve and as we grow as a country. We must recognize these fundamental features. They must be recognized

within our Constitution to further strengthen them, because I must tell the members that while multiculturalism is indeed recognized in section 27 as part of an interpretative clause, I think recommendation 9 goes a lot further and says that this is a fundamental characteristic, along with these other items. That must be contained right at the beginning of the Constitution.

1050

I believe that what our committee has done is to break new ground on this. As I said in my comments earlier, I think it has sent a signal to other jurisdictions that we have a way to approach this problem that will go some way to rectifying the difficulty that other people find with the accord.

I could go on, and I would like to go on, but due to the pressures of time, I will give my other colleagues an opportunity to speak as well. I would like to conclude by saying that it was a real challenge and an interesting feature of life around this parliament to work on a committee that had to deal with a question that was of real paramountcy and importance to the country.

M. Poirier: Madame la Présidente, à titre de Franco-Ontarien et de député de Prescott et Russell, la circonscription la plus francophone de l'Ontario, cela me fait plaisir de prendre quelques minutes pour donner mon appui aux recommandations des membres du Comité spécial de la réforme constitutionnelle.

Je m'en voudrais de ne pas d'abord féliciter mes collègues qui ont travaillé d'arrache-pied à traiter un sujet des plus délicat, des plus complexe et qui fera partie des grands débats canadiens pour longtemps, puisque résoudre la question constitutionnelle au Canada, comme le Comité l'a recommandé, c'est un travail de longue haleine.

Il y a un mot clé que je vois là-dedans, c'est le mot «distinct». Je trouve cela intéressant parce que j'ai participé à plusieurs débats avec des collègues tant francophones qu'anglophones à travers les temps pour élaborer une définition du mot «distinct». Je trouve intéressant que, comme Canadiens, soit anglophones ou francophones, nous sommes toujours prêts à crier, à vouloir, à demander, à exiger notre distinction à l'échelle internationale comme Canadiens, mais aussi à se distinguer surtout de nos voisins du sud, nos bons amis, nos collègues américains.

Lorsqu'on parle du mot «distinct» à ce niveau-là, mes collègues canadiens sont très prêts à reconnaître qu'il est important d'être distinct, qu'il faut l'être, qu'on veut l'être, qu'on doit l'être. Je les invite à comprendre ce que ça

veut dire, être distinct, pour un francophone, soit à Toronto, en Ontario, au Canada, en Amérique du Nord ou même à l'échelle internationale. Je les encourage à comprendre l'aspect positif du mot «distinct» pour la société québécoise, mais aussi, par extension, pour cette minorité francophone hors Québec à laquelle j'appartiens. Je les invite à comprendre ce défi, à l'accepter, et à comprendre que, puisque le Québec est distinct, ça rend le Canada distinct.

Cet aspect-là, les Canadiens l'acceptent parce qu'ils veulent comprendre, justement, qu'à l'échelle du Canada, une confédération, de par sa nature, c'est difficile à administrer quand on a dix provinces, mais aussi deux territoires, qu'il ne faut pas oublier; que de faire une confédération, c'est un défi vraiment spécial que les Canadiens relèvent depuis déjà plus de 100 ans et qu'ils seront appelés à relever de façon constante à travers les temps.

Ce n'est pas parce que nous avons les recommandations d'un comité, ce n'est pas parce que nous sommes sur le point de voter l'amendement de la constitution que nous allons régler tous les problèmes. Mais il faut mettre de l'eau dans notre vin et comprendre que si l'on veut que le Canada reste un pays fort, différent des autres, spécial pour nous, spécial à tous les niveaux, il va falloir accepter l'entente du lac Meech.

Je remarque ce qui s'est passé récemment en Alberta et en Saskatchewan. J'espère fortement qu'une fois le nouvel accord en place, ratifié par l'Ontario et toutes les autres provinces, je l'espère, ce genre de situations ne seront plus tolérées; que l'on comprendra que d'être francophone, Franco-Canadien, c'est de l'être d'une mer à l'autre et non seulement au Québec, c'est de se sentir chez soi dans tous les coins du Canada, comme nos collègues anglophones ont le droit de se sentir canadiens dans tous les coins du Canada.

En 1988, 19 ans après l'adoption de la Loi sur les langues officielles du Canada, il y a toujours le même débat: Que veulent les francophones? Que veut le Québec? Quelle est la position des francophones au sein du Canada, au sein du Québec? Mais pourquoi font-ils des revendications? Pourquoi veulent-ils être distincts?

On a beaucoup de patience, on aime expliquer, on aime faire comprendre; mais pour que moi et les six millions d'autres francophones au Canada puissions nous sentir chez nous au sein du Canada, il est important que des modifications à une telle entente constitutionnelle puissent être réalisées afin de penser à un avenir positif, afin de penser comme Canadiens globalement, afin

de voir à ce que notre beau pays puisse voir sa réalisation constitutionnelle s'élaborer dans le bon sens.

As a Franco-Ontarian, it is extremely important to me that we seek support for the modifications of the Constitution so that all Canadians from coast to coast can feel Canadian. I invite my English-speaking colleagues across Canada and across Ontario to understand why there is a distinct nature to Quebec, to the francophone community, because to be French-speaking Canadians, no matter where we want to be in Canada, is a tough challenge. To want to be six million francophones in a continent with 250 million anglophones, my dear colleagues, is a difficult challenge. Look at Alberta. Look at Saskatchewan. My goodness, sometimes it is hard to think that we are in the same country when I see things like that happening and I compare them to Ontario.

I ask Canadians to consider why we want to be distinct as Canadians and what makes us distinct across the nation and across the world, but also distinct from our American neighbours. How important is it for us Canadians to be distinct? I think it is very highly important. What is the nature of the distinct character that Canadians have that makes us a country? It is, among other things, our two languages and our different cultures.

In French, we have a proverb I would like to cite very much, "Vive la différence." I think the difference that makes Canadians—English and French—is something very positive, very concrete, very real and very beneficial to Canada. I hope that as many of us as possible today will be able to support this amendment.

Madame la Présidente, je vous remercie.

1100

Mr. Eves: It is my pleasure indeed to rise and participate in what I think is a very significant debate and day in the history of the Ontario Legislature. It has been my pleasure to have served on the select committee on constitutional reform with 10 other members of this Legislature for several months. Although we are not obviously all from the same political party, I think we have approached our task in a very co-operative and meaningful way. We have not always agreed, nor did I suspect that we would from the outset.

Constitutional reform, unfortunately, is not something that creates a great deal of fervour in the public or public interest. Yet over a space of time, I suppose, it has a very significant impact not only upon existing Canadians but also upon

future generations of Canadians. I think it was with that onerous responsibility that committee members undertook their very important task several months ago.

I want to say at the outset that I was somewhat surprised, pleasantly surprised, by the extremely capable and efficient manner in which the chairman of the committee handled the committee throughout. I say that not because I am belittling his capabilities, but because, after all, he has been around here a little shorter time than some of the rest of us. I must compliment him on the extremely fair and orderly fashion in which he conducted our hearings and our deliberations.

I would also like to pay note especially to my colleagues to my right, the member for Oshawa (Mr. Breaugh) and the member for Hamilton West (Mr. Allen). I thought at one point in the deliberations in camera that the member for Hamilton West should perhaps receive an honorary bachelor of laws degree from some law school somewhere because he certainly impressed me with his very succinct and to-the-point knowledge, which I wish sometimes members of my own profession would display more on occasion.

We had some very frank and open discussions, Madam Speaker, as you are well aware, being one of the committee members yourself, especially during the in camera session. It is unfortunate, I suppose, that more people were not able to hear our deliberations, but I think our very open and frank discussions about the accord and the recommendations as to how it could perhaps be improved upon or improved upon in the future were very open, nonpartisan and interesting, to say the least.

I do not think there is any place for partisan politics in amending the Constitution of one's country. I know there are some, including our Premier and our Prime Minister who perhaps disagree with me, but I beg to differ. I think this is a very important issue. It is an issue in which partisan politics have absolutely no place whatsoever. I am pleased to see that there is going to be a somewhat free vote in the Legislature on this very important issue.

There are two aspects here we are talking about in this debate: We are talking about the committee's deliberations in its report and we are talking about the government notice of motion 6 and its resolution to adopt the Meech Lake accord period, unamended, no changes recommended.

It is a very interesting dilemma in which I find myself. I am quite prepared to support the committee's report, primarily because there is a

minority opinion in the report which I had a hand in writing. I feel there are some improvements which can and should be made to the Meech Lake accord before it is approved or adopted.

If one is going to amend one's Constitution for one's country, I think that although nothing is perfect—and I am sure we could never agree upon what the perfect wording for such a constitutional amendment would be—we owe it to ourselves but, more important, to generations of future Canadians with problems we have not even anticipated yet, for many generations to come, to make this document as good a document as we can possibly make it.

If there is any ambiguity or doubt whatsoever about any aspect of the accord, I think the time to clarify it is now. The time to clarify is not after everybody approves it. Surely if you approached anything in life that way, you would be somewhat derelict in your duty. I feel it is incumbent upon us to make sure that this accord is the best document we can possibly draft at this time, and although nothing is ever perfect and nothing is ever totally clear, especially in the law and when one is interpreting one's rights, I think we owe it to ourselves to make it as unambiguous as possible.

That, I suppose, is the essence of the minority opinion that my colleague the member for Nipissing and I drafted. I might say that I did some compromising with my colleague from Nipissing even with respect to the minority report, because it is not exactly what I would have preferred as an individual. But I am not here just representing myself; I was on the committee representing not only my constituents but also constituents, I suppose, throughout the province and other members of my caucus as well in our committee deliberations.

Our minority opinion basically requests a court reference, but I am not going to try to walk through the detail of the Meech Lake accord or even all the recommendations of the committee, because they have certainly been touched upon very eloquently by many members.

The one aspect I would like to focus in on in the few short minutes I have to participate in this debate is section 16 and people's rights and the Charter of Rights and Freedoms, because I think it is probably the most important document in Canada right now.

We received many presentations, from a lot of women's groups especially but other groups as well, talking about their equality rights and whether there was even the possibility that they could be abrogated or derogated from by the

wording of section 16 of the accord. Over the course of many months of public hearings, we heard very eloquent positions being put forward by very knowledgeable people on both sides of this issue.

We had people like Professor Baines, Mary Eberts and Morris Manning, QC, giving the committee their opinions that, at the very least, there was some doubt or some ambiguity as to whether or not a hierarchy of rights was in fact created by section 16 and whether or not these people's rights were going to be derogated from at some future point in time, in circumstances currently unknown.

I was very impressed by the presentation Mr. Manning made to the committee. Mr. Manning has no political axe to grind. He was here as an interested Canadian and offered his very substantial legal services to the committee, if it required some assistance in drafting a court reference.

All these people who appeared before us with some concern about their rights would have preferred it if we could have passed an amendment to the Meech Lake accord. I must say, having listened to them, that would have been my first preference as well.

But realizing that politics is the art of compromise, almost all these groups and individuals, to a person, indicated to the committee that the very least the committee could do, if it was unprepared or, the political reality being such as it is, it was not possible to amend the accord outright, is ask for a court reference or an interpretation, because we have heard from the 11 first ministers across Canada that they do not think women's rights or anybody else's rights, for that matter, are abrogated or derogated from by section 16 of the accord.

If they are right, surely they have absolutely nothing to fear by asking for a court reference and having this ambiguity cleared up and having the matter clarified. If they do not happen to be right, then surely they would like to change the document before they embed it in the Canadian Constitution. I do not think that is a very unreasonable request at all. In fact, I was very impressed by the reasonableness of their argument.

I know there are others—not the least of whom is the Attorney General (Mr. Scott) for the province, whom I respect a great deal—who are of the opposite opinion; that indeed there is no hierarchy of rights created and there is no problem here at all. If that is the case, what could he possibly have against a court reference to determine that? This is the same Attorney

General and the same government that did the same thing on the Education Act reference.

There is also another precedent with respect to the patriation reference that went to the Supreme Court, and while I respect the opinion of the Attorney General immensely, at the very least there is an ambiguity created in many experts' minds as to whether these rights could possibly be derogated from at some future point. I think we owe it to ourselves and, as I said, to generations of Canadians to come to clear up that ambiguity now before we entrench this in the Constitution.

Make no mistake: It is going to be much more difficult to change the Constitution if the Meech Lake accord passes in its current form through all the legislatures in Canada and the House of Commons, because once you require unanimous agreement to do anything, it becomes a much more difficult process. I have some difficulty with that as well.

I have some difficulty with an amending formula that says everybody has to agree and that every province—no matter how large or how small or how many people it has in it—has a veto power, because I do not think any one province should be able to do that, especially smaller provinces. I have nothing against some of the maritime provinces.

1110

If 130,000 people in one part of Canada can veto a future change to the Constitution or some other process, then maybe the people in Hamilton should have a veto. How many vetos should the city of Metropolitan Toronto have? This is a democracy we are talking about. That is representation by population. I know it is not perfect, but I do not think perfection is 130,000 people in one part of Canada being able to veto the wishes of the overwhelming majority. It is a hypothetical situation that perhaps is not likely to occur, but indeed could occur if this amending formula is adopted.

I am also looking at the chairman's press release from last Thursday. Unfortunately, I could not be here last Thursday morning when the report was introduced. I only disagree with one statement he makes when he says that after debate the Legislative Assembly of Ontario ratify the Constitution Amendment, 1987. I do not happen to agree with that statement.

I agree with ratifying or concurring with the report, but the report has many recommendations or suggested future changes in it. They are not exactly the way that I personally, as I have said, would introduce them, but they are there. I think

they are very important. The future changes are extremely important.

As I said at the outset, the only way that I can even find myself voting for the report is because of the existence of the minority opinion inside it and the court reference. Having lost the fight to have the court reference included in our report, my colleague and I then introduced a couple of companion resolutions which really went about solving the same problem another way. Again, that was not my first preference either. My first preference would have been to deal with section 16 head on and protect the rights of all Canadians in section 16.

However, we thought that there might be some possibility of acceptance or consensus from all the committee members if we approached it from the viewpoint that if we included multicultural heritage and aboriginal rights as fundamental characteristics of Canada, then perhaps that would do away with the need for section 16 altogether and everybody's problems would be solved. That is the avenue that we chose to pursue.

We pursued that avenue because it was the only avenue that we thought had even a chance of success in the political reality of the arena that we were dealing in. I thank my colleagues on my right again for their support on those two companion resolutions, which were defeated by the majority of the committee in, I must say again, a very nonpartisan approach.

We have talked a lot, I think, through these months about the process and public input. I totally concur with the committee's recommendations with respect to future public process in constitutional amendment. I think it is very unfortunate indeed that on an issue of such importance, all the premiers and the Prime Minister in effect precluded any public discussion and any meaningful public input. These people met near the end of April and the deal was done by June 3, 1987.

I believe the only legislative body in Canada which had a meaningful process during that period of time and sought advice from members of the public was Quebec. First, I do not think the period of time was nearly long enough in between the first draft and the final one. If they really wanted some meaningful input and really wanted to hear what Canadians said and the concerns that Canadians had, they would have given us the summer months to hold those public hearings, have the input and perhaps actually improve upon the product.

On future constitutional reform, again, I agree with the comments made in our committee's report about the inclusion of the multicultural-heritage nature of Canada, the protection and preservation of the rights of all Canadians under the charter, aboriginal rights and aboriginal peoples, minority language rights and constitutional status for the territories.

I know that constitutional status for the territories is not about to do anything politically to any member of the Ontario Legislature. It would be very easy for Ontarians to merely slough off the concerns or needs of the territories. But surely there is some equity and fairness here in this system, or there should be because, in effect, if the Meech Lake accord is adopted exactly the way it is, if we want to deal with reality here, the Northwest Territories and the Yukon or any part thereof are in all probability effectively precluded from ever joining Canada as provinces. All it is going to take in the future is one single province with an objection of any kind whatsoever and it is not going to be possible for any of these people to become Canadians in every sense of the word.

I am also somewhat concerned, and that matter is addressed in the committee's report, about the right of people living in the territories to serve on such important bodies as the Senate or the Supreme Court of Canada. Surely a Canadian is a Canadian regardless of where he or she lives. We all should have the same privileges and rights, and there should not be any second-class citizens anywhere in Canada, including those in the territories. In effect, these people are being stopped from fully participating in the process as Canadians in our country. I do not think there is any place for that in any constitutional amendment of any kind that 11 first ministers could ever agree upon.

I appreciate the need to bring the province of Quebec into the constitutional family. Believe me, that need or underlying thought in effect motivated a lot of the compromises I was prepared to make in committee. I am prepared to go that extra mile to try to accommodate our fellow Canadians in the province of Quebec, understanding the very real differences that indeed they do have and trying to accommodate them. But I think I have to draw the line where there is the possibility that some Canadians' rights will be taken away or diminished by the inclusion of demands from any group of Canadians, from any part of Canada.

There is a very real difference, in my mind, between voting for this report, as I said at the

outset, and voting for adoption of the unilateral, unchanged, unamended Meech Lake accord as it exists. The committee's report has many recommendations in it for future changes in the constitutional process and indeed to the accord and the Constitution itself. The committee's report, as I said, also includes our minority opinion.

I believe these matters that were raised are addressed in both the report and the minority opinion as part of the report. Without them, I find it very difficult as an individual to support the Meech Lake accord in its current form, because I think that at the very least there is some ambiguity as to whether some Canadians' rights may be affected in the future. In all good conscience, I, as a legislator, find it very difficult to vote for something that I believe in my own mind could take away some Canadians' rights at some future point in time.

1120

If the 11 first ministers are right in their assessment, as I said at the outset, they have absolutely nothing to fear from a court interpretation. I know the Attorney General differs with me on this. I know he believes the issue is far too complicated to deal with in a court reference, but I was very impressed by Mr. Manning's presentation and by his draft of the court reference which we adopted in our minority opinion, which we had hoped the majority of the committee members would have accepted.

I apologize if I have taken a few seconds too long, but I must say, in concluding, that although I will be supporting the report of the committee, I find it impossible to support the government resolution, which is a blanket endorsement of the Meech Lake accord as currently drafted, for the reasons I have outlined, without some future change or amendment to the same.

If being a Canadian means nothing else, I think it means that we are all treated equally. I believe the Meech Lake accord, as currently drafted, does not accommodate that equality, so I will be voting against the government's resolution 6.

Mr. Breagh: I had a chance over the last little while to participate in something that is a little unusual for a member of this assembly, that is, to sit on this select committee and to go through this process.

I began with a bias; and I have to state this: If you are a believer that the words on paper do the job in terms of giving anybody any rights, you will have great difficulty with the Meech Lake accord. I do not. I do not believe that any law is

worth anything without some large measure of enforcement.

That may seem rather strange, but I am reminded of that daily. I was reminded yesterday as I watched a group of tenants who had been evicted from their homes, even though the minister says that is illegal. The facts were that the landlord put a padlock on the door and put the tenants on the street. If there is no enforcement, in my mind, for all practical purposes, there is no law. That is a harsh reality that those of us who make laws understand. It really does matter how the words are put together, but it matters more how the government enforces its laws, how the attitudes of our society deal with the laws we have.

I was reminded again. I am not an advocate of shelters for the homeless, but I saw on Front Street in Toronto a couple of weeks ago a really great shelter. It was put together for an international press corps and it operated on a 24-hour-a-day basis. It fed them and it gave them all they could have to drink. It gave them entertainment and it gave them computers. It gave them everything they wanted. I will say now that if the government wants to do that for the homeless in Toronto, I will become an advocate of shelters for the homeless.

During that same summit conference, I watched the government provide transportation for one senior citizen from the United States. I watched Ronald Reagan go by Wellesley Street with two helicopters overhead and, by my count, somewhere around 100 security officers, a complete medical unit, an ambulance at his disposal and television crews. If that is the government's version of transportation for seniors, I am with it. But it is not, and you see how circumstances change the cases.

When a government wants to do something, it can. When it does not feel like it, no law on the books can make a government do that. I was reminded of that constantly throughout this process.

I want to talk almost exclusively about the process, because I think that some things do need to be said and that we are at a critical point in the history of the nation. We have all made fun of how the Meech Lake accord was reached—11 boys went to the lake for the weekend.

We all know a lot of people spent a lot of time drafting things. Civil servants around the country telexed little messages back and forth. There were people who advised the ministers and all of that. But the perception remains that the traditional way of forging these agreements does not

serve us well any more and can never happen again. I think people have to hear those words. This process in its current form cannot be repeated. No one will ever get away with this again. We have done this twice in recent history, where the wise leaders of a nation met and did something important and for some reason it seemed OK. It is not OK any more.

I am reasonably happy that in Ontario the first major public set of hearings was held on this agreement and that we heard, by my count in my office, more than 300 delegations of various sorts which in different ways provided an opinion to the committee. Some of it was very learned opinion from academics who believe very strongly in the power of the word; that where it is positioned in the agreement is critical; that that is the most important thing. If you advocate that, you will certainly have problems with this agreement. If you think the exact word which is chosen and where it is positioned—and in many of the arguments before the committee, what words were not used and where they were not included—you are going to have difficulty with this.

I am not an advocate of that. I believe a Constitution, if it is of any value to the people in the country, is a living thing. It has a relationship to the words which are used, but there are a lot of other components involved in that as well.

During this process, I met some very wise people. I even met a good lawyer. It is the first time in my life I ever met one.

Hon. Mr. Scott: Name names.

Mr. Breagh: Catherine MacKinnon is her name, as a matter of fact. When you send me to jail, she is getting my phone call.

I think part of what was useful about the process, and it is important, is that we got letters from people all over who had not read the accord and did not know what a Constitution was and did not care; they were "agin it." We should read those and hear those opinions. They are valuable to us. We had a deposition from a guy who brought his own rock video; which was good, I enjoyed it.

We met some very wise people, who would probably be, in the eyes of many members, not well-educated people but who had great wisdom. I am thinking, in particular, of a number of delegations from aboriginal groups, people who, in my view, had a right to be in a rage about this, had a right to come before us and say, "We are the aboriginal people of this country and we have fought and argued and negotiated with government for more than a century now and have still not gotten our rights and our legal treaties

honoured by your governments." They had a right, in my view, to be very angry, and I was taken aback by their wisdom.

As a matter of fact, I recall that one afternoon we were discussing the Senate. That august body had made a recommendation that, I think by 1992, it really had to finish up aboriginal rights and it had to be all settled by then. We were talking to them about it. We said, "Did you think that was a good idea?" One chief said to me: "It doesn't matter, 1992 or 1993. Our cause is just. We will persevere. We've argued with you this long. Whether it takes another two or three years, we will win. We will have some fairness. We will get our rights honoured. We will get our treaties honoured." That is a man with more wisdom than most people in this chamber have.

I was reminded by another chief who came to our hearings in London that while all of us talked about our theoretical rights and whether this word belonged here or there, members of his band on his own reserve were met by police officers from Ontario and the federal government with shotguns because they were fishing in the wrong place at the wrong time. Again, it was a case of the resources of a government deciding not what is right and wrong but what it is going to do, which laws it will enforce. What great violation of the national laws had occurred here? Somebody fished in the wrong place at the wrong time.

Though we would not like to think of it in this society, they did arrive with shotguns. Most of us tend to think that does not happen in Canada. Then every once in a while we will be on a picket line somewhere and we will see those same friendly Ontario Provincial Police officers who guard us here in this chamber in a different light.

1130

Those who have not done it should try it someday. Try walking around a picket line at six o'clock in the morning with a group of men or women who are trying to establish what we would think to be their right and see how the police officer looks to you when there are 40 of you and 200 of them. See how it feels in this great, free democratic society to have surveillance cameras turned on you. It does not feel too comfortable and it does not make a hell of a lot of difference at 6 a.m. at Sandra Tea and Coffee Ltd. in Ajax whether you have a legal right to picket or not. What is real is how you are perceived and how you are received by your society.

I think we learned a great deal in the process. I think the process itself was a valuable one. Some

of the people who appeared before us were young people, students who had actually read a great deal about this accord and the background and other opinions. I was amazed at how many of them brought forward a very learned opinion and were content to run the risk of putting that opinion out in public. I am not sure I would have done that when I was in university, but they did.

As I sat through the hearings, I was again impressed that there is something emerging in this country, and all of this chatter about constitutional reform is part of it. There is a sense of a national identity emerging in Canada. God forbid it will ever get out to the surface, but it is there and people are thinking a little bit about who we are and how we govern ourselves.

I am not a big fan of the Canadian Senate, but there are lots of people now who are saying, "If the Senate is going to be there, shouldn't we stop to think about how it is constituted and how people get there?" People are saying the same kind of thing about the Supreme Court. "If the Supreme Court is going to make decisions which change the way we govern ourselves, which change dramatically overnight the kind of services that are provided to our citizens, shouldn't we know a little bit about who these people are who sit on the Supreme Court?" That is a little different kind of notion for a Canadian to have.

We are starting now, just beginning, to think about the process. We are starting, just beginning again, to think about the ramifications of all that.

I know some are not happy with the committee's report. As I sat in the committee room and tried to play my little role in putting it together, I knew they would not be, but I want to put on the record that I think there is something significant here. As I close, I want to put my little unhappiness together on the record this morning too.

The significant part, the part that is worth thinking about, is that we, as a committee, recognized that 11 of us could not sit in the committee room here and do this. This had to be an open process. So we went to great lengths to see that as much of it as was possible was televised around Ontario in both languages. It was not very long ago in this building when that would have been an unthinkable thought, never mind a practical reality, that there would be that much public exposure to deliberations of this kind.

I think it was worth while. At this critical juncture, if the government of Ontario takes the recommendations that are in this report and

begins the next part of the process, I think we will have achieved something worth while. I believe the committee identified in its deliberations the concerns that were brought to it and said that certain things must now happen, and if they happen this Meech Lake accord is not that bad a deal.

I must get this on the record too; it is a personal thing. I have heard people say this is a miracle. I get nervous when people have these kind of apparitions. There are no miracles here. These are 11 grunts who went off to a cottage and did their job, just as we did it. That is exactly what we do. There is no miracle about it. There is no flowering of Quebec. We are not more complete Canadians today because of this accord. We are politicians doing our job, listening to what people said were legitimate concerns and trying to respond to them.

Not everybody is going to like our response. We know that. Members of my own caucus do not like the idea, and it is only a resolution of the House that will go forward on these three matters. That is how we handle constitutional matters here. We have done it twice; we will do it again this afternoon. That is how it is done. People do not like that. Some would like us actually to amend the Canadian Constitution. I did not like Brian and the boys amending the Canadian Constitution, so I am not going to do it.

I think what is appropriate is that a committee of the assembly put forward its thoughtful recommendations and we begin the process of drafting how those recommendations will actually be written into the Canadian Constitution. There should be no surprises in this. Everybody should know what we are trying to do, and we should now begin the process of identifying which word goes where and which section gets the amendment. We addressed ourselves, in part, to some of that. As best as we could ascertain, we worked for a consensus in the committee, because the Meech Lake accord talks about how we are going to operate from here on in. It was a trial run. Could we get a consensus in the committee? Yes, it was possible.

It meant, for one thing, that we had to forgo the traditional things that members of parliament do, that is moving amendments that are not going to carry and, after you move the amendment that does not carry, you vote for the report or you shirk your responsibility totally and say: "Well, I don't like it. Everybody else has to be the responsible person today. They can vote for this thing. I don't want to."

That is a bit of a risk, but I think it is a risk worth taking, I think it is a thought worth pursuing. Each of us, in a different way, struggles with the notion that we are going to be part of this process. I think this Ontario committee has laid out in rough form how the process should happen from here on in. The component parts are fairly straightforward. No deals should be cut that require a legislative committee to ratify and that is it. After this, if you want to change the Constitution, give us your ideas and thoughts and make your arguments and let us do our job, as simple as that. Let it be an open process.

I was surprised at the number of people who actually had done all of the reading and the thinking to appear in front of the committee and make a rational argument. Many of them were people who were not used to being questioned. There were many learned academics who, I am sure, rarely get students in their class challenging what they are saying. There were certainly in front of the committee a number of brilliant legal minds who marshal their arguments as best they can and try to win a case in front of a court. They are not used to having to deal with 11 people asking them questions. We all had to accommodate the wishes of others.

I think the process was useful, but I do not want to pretend for a moment that it was perfect. I want to put a couple of things on the record that perhaps might strike a sour note. I have never seen a committee report hijacked by the Office of the Premier until this one, and that is precisely what happened. I think it would have been really useful for this committee to have tabled its report now, to give all the members of the assembly two or three months to think about it, to talk to people about it and to come back here in the fall and have a lengthy discussion about it. I think that would have served us well. I know that this morning I am supposed to take 20 minutes and say all I have to say about this committee's work and Meech Lake and all of that, and I cannot do that. I think it would have been useful to hear that.

I know it is nice to have everybody get up and give us his opinion. We have had that for six or eight months now. It would have been useful if that had been an informed opinion. It would have been useful for people to hear the pros and cons of all these arguments, because they were really good arguments. The people who appeared in front of the committee not only had opinions but had thought about how this should be done in the future.

If there is hope in what is being proposed in this committee's report, it is to change the process by which the Canadian Constitution is altered in any way, shape or form. It addresses itself in large measure to how that process should be adopted, to how we would go about it. It talks about standing committees, public hearings, joint committees and getting all the legislatures of Canada to talk to one another about these same things, because the process we now use is an awkward one.

I believe the report of the committee is worth considering. I do not think for a moment that we have stumbled on the ideal way to do this, but I believe we are at a point in our history as a nation when we are just beginning to identify who we are, how we function and how all of these rights get interpreted. It becomes critical then that we have a legitimate, free, democratic process to make these changes and that we have a clear role for our legislative assemblies to play in all of this. That is different and that is a change in the way Canada functions, but I believe it is an important change.

1140

I put forward to members, with no reservations, the work of the select committee on constitutional reform because I think it was good work. I do not think it was perfect work. I think it is no miracle. I think it is no great watershed in the history of Canada. But it is a mark, some legitimate work that was done by 11 people here who worked very hard, some staff people who worked very hard and a lot of our citizens who took the time to come before us and put their position to us.

I recommend that to members. I hope that members will support the report. I know that the Meech Lake accord, which will be debated later this afternoon, is a slightly different matter. But if members listen to what this committee had to say, I think it would serve us well if we took the advice of the recommendations that are contained in this report. I think we will begin, only begin, but begin to resolve some of the difficulties that have been identified around this accord.

I believe it was worth doing. It was not exactly fun all the time, but it was a worthwhile effort by people who I think had not only good intentions, but also in fact found some recommendations that are worthy of everyone's consideration. I hope members support it.

Hon. Mr. Scott: It is trite in these debates to begin by congratulating the committee on the work it has done, but I think in this particular case, as the honourable member for Oshawa (Mr.

Breaugh) has said, there is a special occasion and a special obligation to do so.

I had the opportunity to give evidence before the committee as the last witness. I also had the opportunity to read virtually all of the hearings of the committee. I think any dispassionate observer could not help but admire the dedication and thoroughness with which the committee undertook and discharged its task on all sides. If you measure the enormity of the obligation they had, it is easy to see how difficult that must have been.

We are at a critical moment in the life of our country. All of us are concerned about the implications of constitutional change, not for any selfish purpose but because of our competing views about the value of nationhood and the way it can best be expressed in this strange, semi-Arctic land.

Each member of the committee, of course, took with him or her to the committee hearings not only his or her views about the process so ably described by the honourable member for Oshawa, but his or her views about the result of the process and his or her sense of how arrangements can be made to unify and strengthen this land. Those views were very deeply felt.

The committee heard dozens and dozens of witnesses—they have been described by the member for Oshawa—some of great sophistication and learning; others who might be judged unsophisticated by the standards of the world, but who, as has been noted, had very useful and frequently wise things to say. Apart from anything else, we learned that wisdom was not necessarily an essential product of learning. Occasionally, wisdom and learning happen to coincide, but it was not a necessary correlation in any sense.

The committee had the opportunity and the obligation to listen, and it did. Then it began the process of analysis. It is a tribute to them that they put aside as best we can do, which is not always perfect, their own predilections, their own concerns to try to come to an accommodation not only about this accord, but about the future of the country, and particularly the future of constitutional change.

Now the matter comes to this House with their unanimous report which we are presently debating. Every member will be conscious that when we vote on this, we will probably be casting a vote that will be as important as any we will cast in our period of time in the Legislature. Because while we may vote on this policy or that policy that will have short-term, medium-term or long-term ramifications, we are really voting

about the shape of the Constitution and therefore, in a practical sense, the shape of the country in future generations.

While we all understand that honourable members may dissent from one another and that everybody has the right to vote either for or against any piece of legislation or resolution as they please, there is a special entitlement to dissent in a case like this.

I have read in the press that the member for Scarborough West (Mr. R. F. Johnston) is not going to support the conclusion of the committee. That, of course, is his right; that goes without saying. But in another sense, in a larger sense, it is his moral obligation, if he feels that way, to say where he stands, in a historical sense, in this important task.

I do not intend to go through each item of the Meech Lake accord. The committee has done that better than any of us individually could have done, and I accept its analysis and I accept its criticisms of the process. But I do want to make a number of general observations and tell members some of the things I learned from the committee and from the process, now two and a half years old, which began when the new government of Quebec announced at Saint-Sauveur its expectations with regard to constitutional change at a public conference that Queen's University arranged.

I have learned something about constitutions, and I think, in a strange and rather surprising way for me, it parallels something the member for Oshawa said. That makes me instinctively uncomfortable—

Mr. Breaugh: Well, at least I've done one good thing today.

Hon. Mr. Scott: His good deed for the day has been done, it is true, but I think he made a point I would like to make in a slightly different way, if I could.

A constitution is not a will or a deed or a bill of sale or a TV repair account. It is not a conditional sales contract. It is not a chattel mortgage. Therefore, it is not susceptible to the kind of analysis one would make in looking at what the lay person or the lawyer would call a legal document which imposes obligations.

Going over constitutions with a fine-tooth comb, as the lawyers say, is a nonproductive exercise, because constitutions are not meant to speak with precision. If you want to see the most general language you could ever imagine, look at the Constitution of the United States. You would have grave difficulty, reading the Constitution of

the United States, in predicting how the government of the United States would be carried on.

The same is true of our own Constitution, which has stood us in good stead for 115 years. It is not a precise document. It would not have been made if precision was required. The forces that had to be brought together in Prince Edward Island and in the Confederation debates that took place there would not have coalesced if precision was required, and that is why our Constitution speaks in phrases like "peace, order and good government" as a source of power.

The people at the Toronto Star would immediately say: "Well, what does peace, order and good government mean? Can't the first ministers be more precise?" Of course they cannot. Constitutions are not made by attention to precision. What they are designed to do is to create a framework for politics. They are designed to create a framework that will permit all legitimate interests within the country to work and live together to achieve, if they can, their political purposes.

This can be seen in our own history. For example, when Sir John A. Macdonald and Cartier of Quebec debated the Constitution of Canada in 1867, both of them had competing views about what this country should be like. It is no secret that John Macdonald essentially wanted a unitary form of government on the English model. He was determined to have it if he could, because the American Civil War, just concluded within a year or so, showed him that federalism did not work, so he wanted a unitary model. Cartier, the French-Canadian leader, wanted a federal model, for different reasons.

Both of them went into that conference backed by supporters with their own agendas. They were both prepared to say what they wanted, and what they came out with was general language that permitted both of them, both expressing legitimate views about the nature of the country, to come together, to coalesce into a nation and work out those questions of how we will govern ourselves in political terms. That was done. It is not yet clear which of them may be the victor in this struggle that has occupied Canadians for 150 years.

1150

When people say to me, as they do in my constituency and elsewhere, "Some of the language is very general, is it not?" I say, "Yes, it is, thank God." It would not have been possible and it would be wrong to try to formulate a Constitution that will be a straitjacket for the politics of the future. When we have leaders,

sometimes national leaders who say, "My vision of Canada is this and my vision requires that this be done in the Constitution," when we hear that kind of thing, I am sometimes put in mind of people who want to exclude other legitimate views, to incorporate only their own view about what is right for this country.

I see the very generality of this document as, first of all, entirely consistent with the history of constitution-making everywhere in the world, entirely consistent with our own history since 1863, and what is more important perhaps, entirely in the national interest, because with this accord we have completed a process that has brought all the legitimate views about the nature of the country, its regions and its central authority together so that there will be a framework in which all the players can participate in the act of politics, which of course at its highest is the act of making a national identity.

I learned something about that sense of what a constitution is from reading some of the things that were said to the committee and by being compelled by the committee to focus on that kind of question. Now, as I have said, I do not propose to discuss in detail the provisions of the Meech Lake accord. I have said what I had to say on that subject to the committee as well, after some effort, as I could say it, and it would be idle to repeat it here.

I want, however, to dwell on one other aspect of the committee's report that I judge to be critical. The committee commented adversely on the process. I understand that comment and I think by and large it is a fair comment and represents a view that we all have about the process. Having said that the process is defective—it is the only process we have ever known in this country—it is very difficult to devise another process that will effectively replace it.

The committee has begun that work in a useful way by suggesting the standing committee on constitutional matters. I think that is a good start. The committee itself would not underestimate the very grave difficulty of developing a more open but still productive process than the one we have, but I support the committee's initiative in saying that work must begin and we must begin it in this way.

The other thing the committee did is that it made, on pages 44 and 45 of its report, two suggestions, one at least in the form of a proposed amendment about the future agenda. I think those are of great importance and I would hope as we focus on Meech Lake itself we would

not overlook what the committee had to say about those things.

Perfectly naturally and for very sound historical reasons, makers of constitutions tend to focus on their own agendas. What the committee said to us in recommendation 9 was that this process is pretty near complete. We have brought all the players into this framework that is the Constitution and now we must use the Constitution for the purposes of identifying those characteristics that unify us all. Instead of focusing on interests, we must begin to focus on unifying factors.

Constitutional conventions, whether in the old format or in a new format, obviously will occur more frequently in the future than historically they have in this country. It is important that we should begin to develop an agenda for the future and I am frankly delighted at the step the committee has taken in pointing that way.

In recommendation 9, for example, the committee asks the constitution-makers, whoever those may be under the new process, to elaborate the concept of fundamental characteristics so as to reflect the full spectrum of Canadian society, and that an amendment be contemplated that will begin the process of enumerating those fundamental characteristics that unify us across this country as a people.

That is an important item for the agenda, because if the constitution is to serve not only its role as a framework in which political debates can occur, but also its role as a unifying document, we must begin to focus, in the Constitution, on unifying elements.

The other proposal the committee made which I support and which I think is wise, is recommendation 10 with respect to the aboriginal people. Here, the committee has proposed, in the form of a constitutional amendment, a scheme that will in a sense replicate the 1982 process of constitutional negotiations that failed in 1985 to obtain an aboriginal constitutional self-government amendment. The initiative of the committee, I know, will be positively noted by our aboriginal fellow citizens, and I believe the committee here has made an important start in leading us to that process and to its completion with a constitutional amendment.

I think having done that, however, we must recognize the enormity of the task that lies ahead if we seek an aboriginal constitutional amendment that speaks to self-government. At the last two conferences I had the honour to attend for Ontario, there were, apart from the federal government, essentially three governments in Canada that were prepared to discuss aboriginal

constitutional reform in a meaningful way. They were Ontario, Manitoba and Nova Scotia. Each of us put forward proposals, slightly different in form, that went a substantial distance, not as far as some aboriginal people would have us go, towards an amendment.

The reality we faced at that time was twofold. One, Quebec was not present so that a major province that has a long tradition of dealing with native people in a relatively progressive way—after all, the James Bay agreement was made in Quebec—was absent and felt unable to participate in the process. Those provinces that were moving towards an accommodation with our native people felt very much the absence of Quebec. I believe that if nothing else, the approval of this accord across the country will make the concerns of our aboriginal people more easily recognizable.

Having said that, we must understand that there were six provinces that are very clearly opposed to any kind of aboriginal constitutional amendment at the present time. Therefore, we must begin the exercise of trying to persuade our colleagues in all parties, because this is not a matter that divides parties. All parties in western Canada essentially find this aboriginal concept and the self-government concept very difficult. We must begin to persuade our colleagues in other provinces that the interests of our aboriginal people require the continuation of this process.

1200

It will be difficult, but I think this Legislature is committed to it. We will do what we can to make it effective, but it is going to be a long and difficult road to obtain the kind of majority required for an aboriginal self-government amendment. But I think it is critically important that the committee has taken, and the Legislature will take if it adopts this report, that significant step forward.

Today is an important day for Canadians. It is important for those who will support this report and it is important for those who feel obliged to oppose it. As I said in opening, we do something today that may be more important in the long run than most of the kinds of votes we take day after day in this place.

I have been impressed, as I am sure honourable members have, whether it be in the committee, the Legislature or indeed the community, by the seriousness with which our people, by and large, have addressed this critical question. There will be differences. The honourable member for Scarborough West is obviously

going to take one view and I am going to take the other. That does not mean he is right or I am right. It simply means we have both attempted to assess what is good for this country at this time and what it is possible for this country to achieve at this time, and have come to different conclusions about that. I respect that.

Having said that, I ask all members of the House to reflect on the fact, as they go to vote, that the members of this all-party committee, putting aside in so far as they could their political differences, laboured extensively for four months, got to know more about our Constitution than any other group of 11 people in the country—I make no exceptions to that—and got to hear more people speak about the Constitution and to listen to more people express their views about the nature of the country than any other group.

When I appeared there—happily for them and for me, I was at the end—there was no more knowledgeable body in this land than that group. Not without difficulty, not without stresses, I am certain, not without some modification and qualification of principle perhaps, because politics and constitution-making are always the art of the possible, that group achieved a consensus which they recommend to this House. I respect their work. I think they have produced a major document in the form of this report, which will be read in classrooms in this country probably for generations, because it reflects the consensus that was achieved in our time in this place.

I am delighted to congratulate them on their work, to invite the House to consider the seriousness of purpose they applied in under-

taking their task and to ask the House seriously to consider endorsing what they have recommended.

The Deputy Speaker: Mr. Beer has moved the adoption of the recommendations contained in the Report on the Constitution Amendment, 1987, of the select committee on constitutional reform.

All those in favour will please say “aye.”

All those opposed will please say “nay.”

In my opinion the ayes have it.

Call in the members.

Hon. Mr. Conway: Mr. Speaker, may I take this opportunity to ask that there be unanimous consent that the vote on this particular matter be deferred to four o'clock this afternoon. The order of voting this afternoon, if I have an understanding of the House, will be that we will proceed after routine proceedings to have the three leaders speak to the government notice of motion 6. Once that debate is concluded, we will then proceed to the vote on this matter—that is, the adoption of the report of the select committee on constitutional reform—and following that vote, proceed to a vote on government notice of motion 6.

The Deputy Speaker: Is there unanimous consent to defer this division until four o'clock?

Agreed to.

Vote stacked.

Le vote est reporté.

The House recessed at 12:05 p.m.

AFTERNOON SITTING

The House resumed at 1 p.m.

MEMBER'S STATEMENTS

LIBERAL PARTY FUND-RAISING

Mr. Swart: I would like to tell the House that I received a letter from the chairman of the fund-raising committee of the Ontario Liberals, and he was asking me for money. I want to tell my Liberal friends here that I will not be making any donation. With what they are doing on housing, hospitals, colleges and auto insurance, they certainly do not deserve one.

I want to quote one sentence. It says: "Please remember that although Liberal candidates won a majority of seats and formed the government, the Ontario Liberal Party has no special access to funds." That is not really entirely true. They really have a gold mine with the insurance companies. Liberals members received \$118,000 last year from the insurance industry, and that amount is in the names of various sectors of the insurance industry. That is only a small amount compared to what they received in personal donations from it.

I have this tip for them. If they really want to get big money in their ridings from the insurance industry, they should get their New Democratic Party opponent actively to promote public auto insurance. In my riding, my Liberal opponent, Mark Larose, got more money than any other Liberal running in all of Ontario—\$3,700. There is a tip for them in the next election.

COMMUNITY SAFETY

Mrs. Cunningham: I rise in the House today, not only as the representative for London North but also on behalf of concerned parents all over Ontario.

On March 31, a young girl was brutally attacked in London. We have on many occasions asked the Minister of Health (Mrs. Caplan) to review the risk-management systems at Ontario psychiatric hospitals.

Two more parents whose children were murdered by psychiatric patients on day passes have written me this week, and the memories of their traumatic experiences have resurfaced with the brutal attack on the London girl and the murder of Christopher Stephenson in Brampton almost two weeks ago.

Today we were informed by the ministry's officials that the investigation will take at least

three more months to complete. On top of that, we will have to wait even longer for this report to be released to the public. We have entered the summer holidays and more young people will be travelling alone. We, as parents, will be even more concerned for their safety, considering these recent tragedies.

It is appalling that it will take the government more than six months to complete the investigation, submit the report and reassure parents that our children can play outdoors and travel in our cities without fearing for their lives. We expect this government to do everything possible to expedite this investigation and to release the report immediately.

ALL-TERRAIN VEHICLES

Mr. McGuigan: I wish to raise a matter of interest to farmers, trappers and hunters who use all-terrain vehicles for agricultural or trapping and hunting purposes, who may unknowingly be operating their vehicles without liability insurance coverage.

The Off-Road Vehicles Act, 1983, states, "No person shall drive an off-road vehicle unless it is insured under a motor vehicle liability policy," the only exemption being when the vehicle is used solely on the vehicle owner's property.

The act requires that ATVs be registered and that they be insured under an automobile insurance policy. Also under the act, these vehicles can cross a road, but they cannot be operated on a road except when operated by a farmer, trapper or hunter while engaged in work related to his occupation. This exemption for farmers and so on may create the impression that farmers do not require insurance.

Also, prior to 1983, farmers insured their ATVs under their farm machinery and liability policies. Today farm and personal liability policies specifically exclude ATVs. To be on the safe side, all owners of ATVs should check with their insurance agents. They should ensure that their ATVs have insurance coverage which meets their needs.

I would urge all members to pass this information along to their constituents. In the event of a bodily injury claim for which the ATV owner is liable and lacking liability insurance, he could lose a great deal, such as his farm and home.

CANADIAN ARMENIAN CENTENNIAL GALA REUNION PICNIC

Mr. Farnan: I rise today to recognize an important anniversary and those who will be celebrating it. I am referring to the hundreds of people who will be attending the Canadian Armenian Centennial Gala Reunion Picnic in Cambridge on July 2 and 3, which marks the 100th anniversary of the arrival of the Armenian people in Canada.

This exciting event is being sponsored by the Armenian Community Centre of Cambridge and the Brantford Armenian community. People of Armenian descent are expected to attend from as far away as Buffalo, Niagara Falls and Windsor, and indeed from across the entire province.

Although in the past the Armenian people have experienced incredible suffering and persecution, they will join together this weekend not only to remember their past, but to celebrate their hopes for the future. The program will include a tribute to first-generation Armenians, games, food and dancing.

I would ask my colleagues to join me in welcoming the many first-second- and third-generation Armenians who will be attending the Canadian Armenian Centennial Gala Reunion Picnic. I would also like to congratulate the organizers of the picnic for giving all of Ontario an opportunity to appreciate the Armenian people's courage and quest for freedom.

We in Cambridge are very proud of the fine Armenian community we have in our midst and its contribution to our community. We know we will anticipate working with them for the future prosperity of Cambridge and Ontario.

SUMMER EVENTS IN ORILLIA

Mr. McLean: My statement today is in the form of an invitation. There are some exciting things happening in Orillia this summer. On the weekend of Saturday, July 16, we have what we call the Scottish Festival, which is a great highlight of that community, serving all parts of Simcoe county, and we welcome people to that. We have about 10,000 people who usually turn up and it is an exciting event.

One of the other exciting things happening in Orillia this summer, and I want to invite you all to it, is the Antique Boat Show for Ontario, which has been in Port Carling for years. This is the first year it has been moved from that riding, Muskoka-Georgian Bay, down to the riding of Simcoe East and the port of Orillia. I welcome you all to come and enjoy yourselves and see that.

The other thing taking place is that the Opera House in Orillia has a summer program whereby you can come to visit and enjoy live performances put on by local people. It will be very enjoyable, and I welcome and invite you all. I would like to invite the Minister of Tourism and Recreation (Mr. O'Neil) to come up so that he will learn a little more about what is taking place with regard to tourism in Ontario, especially in the port of Orillia.

I invite you all to come and enjoy yourselves in Orillia and area this summer.

WORKERS' COMPENSATION

Mr. Faubert: Since September 10, 1987, when the good people of Scarborough-Ellesmere elected me to represent them here in this Legislature, the most common request for assistance I have received has been from those suffering from job-related injuries.

I am sure all members of this Legislature have also heard the often tragic and heartbreaking circumstances of these injured workers as they seek assistance from the Workers' Compensation Board through their local member's constituency office.

This is why the legislation introduced on June 20, 1988, by the Minister of Labour (Mr. Sorbara) amending the Workers' Compensation Act should be greeted positively by all members of this Legislature.

The previous determination of benefit levels, which was often referred to as the meat-chart system, was little more than an arbitrary guesstimate of how a particular injury might affect earning capability. In contrast, the new dual awards system will provide replacement for the real earning capacity lost as a result of workplace injury, while it will also compensate for the noneconomic loss suffered.

This legislation ensures that injured workers receive early access to rehabilitation assessment and the appropriate services. In addition, it provides injured workers with the opportunity to be reinstated in their jobs so that they can once again retain their self-dignity and their independence.

Nobody is suggesting that the problems of the injured workers of this province will all be solved by this legislation. However, injured workers across the province, and indeed all Ontarians, are welcoming this as a major step in the right direction in providing greater fairness and comprehensiveness in benefits and greater workplace opportunities for injured workers across the province.

1310

RETAIL STORE HOURS

Mr. Philip: There is overwhelming evidence that citizens are concerned about the flip-flop by the Liberal government on the Sunday shopping issue. Citizens can make their views known by appearing before the standing committee on administration of justice, which is holding public hearings this summer. The committee will be holding hearings in Toronto the week of August 8; Collingwood and Orillia the week of August 16; eastern Ontario the week of August 22; St. Catharines, Brantford, London and Windsor the week of August 29; Thunder Bay, Sault Ste. Marie, Sudbury and North Bay the week of September 12. I urge all members to contact the clerk of the committee at 965-5774 if they wish to make a presentation.

STATEMENTS BY THE MINISTRY

WATER TRANSFER CONTROL

Hon. Mr. Kerrio: Today I would like to bring a bill before the House which will assert Ontario's constitutional authority to control and manage its water supply. The bill is the Water Transfer Control Act. The Water Transfer Control Act will ensure that there is a secure supply of water for Ontarians and Canadians by controlling the transfer of water out of any of the five major drainage basins in the province.

This government is concerned that the proposed free trade agreement places control of Canada's water supply at risk. We believe the failure to expressly exclude water exports from the agreement opens a door we think ought to be closed. This government knows that water can be considered a good under the free trade agreement and thus, like any other good, water would become a commodity to be bought and sold should Canada have a free trade deal with the United States.

This government does not consider water to be strictly a commodity. We see water as a precious, limited, strategic resource, one vital to the long-term social, economic and environmental wellbeing of the people of Ontario and Canada.

The House must remember that our water supply is limited. For example, only one per cent of the volume of water in the Great Lakes is truly renewable. Depleting the lakes beyond this one per cent would result in a permanent reduction of water levels. Furthermore, scientists predict that the gradual warming of our climate and increasing water consumption could significantly decrease Ontario's water supplies within the next

decade or two. Accordingly, the province must ensure that it has the maximum flexibility to respond to future developments involving this strategic resource.

I am sure members of this House will agree that our government must not accept any ambiguity about the province's ability and determination to manage our water supplies. The Water Transfer Control Act addresses that ambiguity. It will enable this and future governments to ensure a secure, abundant supply of water for Ontarians and Canadians.

The act prohibits any person from taking water out of a provincial drainage basin without the express consent of the Minister of Natural Resources.

This government is on record for its opposition to large-scale water diversions which we feel will not benefit the long-term interests of Ontario or Canada. For example, on January 7, 1986, the Premier (Mr. Peterson) stood in this House and spoke out against the GRAND Canal scheme.

I would ask members to support speedy passage of this bill. We must reassure the people of Ontario of their government's determination to prevent the free trade agreement from creating uncertainty about Ontario's water supply. Today, with this legislation, this government asserts its responsibility to protect our water resources.

CONSERVATION AUTHORITIES

Hon. Mr. Kerrio: I would like to table the report of an interministerial committee which reviewed the roles, responsibilities and funding of Ontario's 38 conservation authorities.

To give the House some background, cabinet in 1986 asked me to review the funding received by conservation authorities. Shortly after that, the Association of Conservation Authorities of Ontario in a brief to me recommended a number of reforms which went beyond funding.

As a result, cabinet agreed with my recommendation in August 1986 to broaden the review's terms of reference. Cabinet also recommended that the review be carried out by an interministerial committee from the ministries of Natural Resources, Environment, Agriculture and Food, Municipal Affairs, and Tourism and Recreation. I also recommended that the Ministry of Treasury and Economics appoint a representative to the committee.

Some conservation authorities were formed in Ontario more than 40 years ago to protect local residents from flooding and erosion within one or more watersheds and pursue conservation in

general. Today the area covered by the 33 authorities in southern Ontario and the five in northern Ontario includes 11 regional and 497 local municipalities. That area contains 90 per cent of the population of Ontario.

Conservation authorities are our first line of defence against flooding and erosion. The replacement value of the water control structures operated and maintained by conservation authorities is \$1 billion.

Conservation authorities have served this province well, and we must ensure that they can also effectively tackle the problems of the next century. The improvements the committee is recommending are designed to make program delivery more consistent, clearly define responsibilities, clarify the conservation authorities' role in recreation and free up funds to maintain the existing investment in water control structures and recreational facilities.

Let me just outline a few of the committee's recommendations.

The committee found that the efficiency, cost-effectiveness and consistent program delivery of authorities is hampered by great variations in human, financial and other material resources.

The population figures for the areas served by conservation authorities, for instance, range from 9,000 to more than 2.6 million people. This is reflected in a significant variation in assessment base and, hence, in the financial resources of the municipalities in which these people reside. Budgets of conservation authorities range from \$245,000 to almost \$20 million.

This variation means some authorities cannot afford the technical and operational staff required to provide consistent services across all areas of the province. That is why the committee suggests that smaller southern Ontario conservation authorities should be amalgamated within two years to reduce the total from 33 to approximately 18. Because of the distances between conservation authorities in the north, the five authorities there would remain separate and distinct.

The committee also feels that efficiency can be improved if membership on the conservation authorities is cut by approximately 600, from 937 to 337. This number will permit all members to participate in the full decision-making of their authorities.

The committee also wants to reduce the variation in funding for conservation authorities by eliminating all supplementary grants and establishing three provincial grant rates of 40 per cent, 50 per cent or 70 per cent against the cost of all programs. The grant rate for a given

conservation authority would be a function of its total assessment and population. This change will allow conservation authorities with small assessments to provide the same level of service as areas that have larger assessments.

This change in grant rates is estimated to reduce the call on provincial funding by \$5 million. The committee recommends that this \$5 million stay in the program and be augmented by an additional \$5 million to help authorities maintain the existing investment in water management structures and recreational facilities.

These recommendations are far-reaching, and I know that some will be the subject of very spirited discussion.

There will be ample opportunity to discuss these recommendations. There will be a public review that will involve all conservation authorities and interest groups and municipalities. This review will also include obtaining input from new municipal councils that will be elected this fall.

CANCER TREATMENT

Hon. Mrs. Caplan: Cancer is one of the leading causes of death in Ontario. It affects people of all ages and has touched most of us personally, in one way or another, through friends and relatives.

Escalating the war against cancer has priority status in the Ministry of Health. In August 1986, we committed \$200 million for major cancer projects, including the redevelopment of the Princess Margaret Hospital and regional cancer clinics in Hamilton and London and the construction of a new clinic in Sudbury.

Today I am announcing additional funding for the Ontario Cancer Treatment and Research Foundation. The \$5.5 million in new funding is in addition to the 4.4 per cent increase approved by the ministry earlier this year, bringing total funding for the OCTRF to \$69.4 million for 1988-89. Total funding for the Ontario Cancer Institute and the OCTRF has increased by 13 per cent over last year.

1320

Cancer care in this province is provided through two provincial cancer care organizations and through general and acute care hospitals.

The OCTRF is responsible for the operation of the eight regional cancer care centres across the province. These centres have seen a significant increase in the number of patients requiring treatment. The additional funding will allow the centres to meet increasing demands on existing services.

To ensure that Ontario's efforts at battling cancer are as effective as possible, and in line with the reorganization of the ministry, I am creating the position of cancer care co-ordinator to oversee future direction of all aspects of cancer prevention and treatment in Ontario.

My ministry's healthy lifestyle campaign will form an important part of our prevention strategy.

As well, the ministry is expecting to receive a consultant's report, commissioned last March, dealing with the long-considered merger of the OCI and the OCTRF. The new co-ordinator will take an active role in implementing this report and in reviewing funding for all cancer care programs.

We are committed to providing a co-ordinated and effective system of cancer care in Ontario.

INTERVENER FUNDING

Hon. Mr. Scott: As members of the House perhaps know, the government has long advocated increased participation by the public in the justice system. This belief was reinforced, at least as far as I am concerned, at the Access to Civil Justice conference, which we recently hosted at the time of the economic summit but in another place. During the conference it was widely acknowledged that a regularized system for intervener funding is an essential component of an accessible justice system.

On behalf of myself and my colleagues the Minister of the Environment (Mr. Bradley) and the Minister of Energy (Mr. Wong), I am introducing today the Intervenor Funding Project Act, 1988. The bill will create a three-year pilot project involving the Environmental Assessment Board, the Ontario Energy Board and the joint board which hears applications that would otherwise fall under the jurisdiction of the former board.

The challenge in developing this legislation has been to balance the needs of the intervener and the proponent, the body that has brought the matter before the board or which is the principal beneficiary of the issue before the board.

Under the scheme established by the bill, the proponent will normally be required to pay the costs of the intervener funding award. In order to qualify for funding, however, an intervener must satisfy a number of criteria.

Intervener funding will only be awarded by the board in relation to cases which both affect a significant segment of the public and affect a public interest. In addition, consideration will be given to factors such as whether the intervener

has tried to raise funds from other sources and has an established record of concern for the issue.

An exception is provided where paying the costs of intervener funding would impose substantial hardship on the proponent. In that case, the board has the discretion to decide that the costs shall be shared by the proponent and the intervener itself.

Finally, the legislation also addresses several problems relating to the awarding of costs before the affected tribunals. The Environmental Assessment Board will for the first time, like the other boards in Ontario, have the authority to make costs awards.

For all the affected tribunals, the discretion of the tribunals to make costs awards has been broadened beyond traditional court-based criteria to reflect a more conducive attitude towards interveners at the tribunal level.

We are introducing this bill today in the expectation that we will receive public input over the summer months; and in discharge of my commitment to the member for Etobicoke-Lakeshore (Mrs. Grier), we will be pleased to receive comments and suggestions from all interested parties in order that we can enact an intervener funding system next fall.

The criteria established in this bill for the granting of intervener funding are based on the criteria established by Mr. Justice Thomas Berger in the Mackenzie Valley pipeline inquiry. In arranging for the funding of native and environmental groups with demonstrable interests to the outcome of his inquiry, Mr. Justice Berger recognized the importance of public input. We are proud to follow his lead with this legislation.

I am personally very pleased to be able to introduce this legislation. I am confident that it will go a long way to remedying the difficulties faced by public interest interveners before our tribunals.

UNIVERSITY FUNDING

Hon. Mrs. McLeod: Since taking office, this government has consistently recognized the importance of increasing accessibility to Ontario universities for qualified students.

With this priority in mind, and in recognition of the significant increase in demand for first-year university entrance, I have begun to announce a series of new capital grants. These grants are designed to help universities accommodate more students by funding improvements, renovations and alterations to facilities such as laboratories, classrooms and offices. Some

institutions will use a portion of the funds to rent off-campus space to help meet surging enrolment demands. These announcements are the first steps in the four-year, \$40-million plan announced in the April budget of the Treasurer (Mr. R. F. Nixon) to ease the immediate pressures of growing university enrolment.

I am pleased to tell the members that the response by our universities to this increased demand has been very encouraging. We know that several universities have already sent out letters of acceptance to an increase of several hundred more students this year. University officials tell us that the special funding will help them provide several thousand more student places across the system for September.

I mentioned that I have begun a series of announcements. Those announcements of funding will continue into next week. These allocations are another measure of our ongoing commitment to enhancing access to and facilities for post-secondary education in this province.

RESPONSES

UNIVERSITY FUNDING

Mr. R. F. Johnston: Just to respond to that last statement by the minister, of course we are all happy to see that accessibility is going to be enhanced. This kind of late program does not exactly help long-term planning in the universities, which are trying their best to accommodate the government and the students involved.

What is missing from this announcement is probably what is most provocative. There is no statement here about the total number of students who will be able to be accommodated this year. There is no statement as to whether or not all those students who wish to go to university and are capable of going to university will be going to university this fall. Instead, that has been obfuscated with this report.

If the government has met that commitment it has made so many times in the past, then I welcome this announcement. If this is in fact a way of just ducking the reality that many students will not be going to universities who are eligible to, then clearly I do not like this smoke and mirrors.

CONSERVATION AUTHORITIES

Mr. Wildman: I rise to respond to the statements of the Minister of Natural Resources (Mr. Kerrio).

In regard to his tabling of the interministerial review of conservation authorities, I would hope that the minister would make clear to the House

that these conservation authorities are so important that the recommendations for change should be discussed in the House and that these recommendations and whatever action the minister intends to take should be referred to at least a committee of the House for discussion and input of the members.

WATER TRANSFER CONTROL

Mr. Wildman: With regard to the introduction of the Water Transfer Control Act, we in this party concur with the minister's position with regard to prohibiting persons from taking water out of the provincial drainage basin without the consent of the Minister of Natural Resources and hope that the government would stand by the position it took on the GRAND Canal project.

At some point, though, I would also like to know from the minister what input, if any, the provincial government of Ontario has into the United States Army Corps of Engineers' transfer of water through Chicago into the Mississippi River drainage basin.

INTERVENER FUNDING

Mrs. Grier: I am delighted to hear the statement of the Attorney General (Mr. Scott) and to know that we are going to have at least a three-year period of intervener funding in this province. I regret that it has taken three years for the Attorney General to recognize that the criteria he himself had established in the Berger commission were in fact good criteria and to enunciate them. I suggested that some time ago, but I agree with the Treasurer (Mr. R. F. Nixon); I am sure the cabinet took a lot of convincing.

My only caveat would be that I hope there will be a clear definition of what is in fact in the public interest, and that will be easily made for the interveners seeking funding; and also that at the close of the three-year period, we will not have to wait an interminable time for an evaluation of the pilot project in order to have some permanent funding in place. But it is a happy day and it means the end of bake sales and rummage sales for a large number of groups, at least for a small period. We hope at some point that the Ontario Municipal Board might be included in the pilot project too.

1330

CANCER TREATMENT

Mr. B. Rae: I want to respond to the statement made by the Minister of Health (Mrs. Caplan).

I find it curious, if this is to be a priority of the government, that the minister would announce it

some three or four months into the funding year. I think most people in the field would also find it strange that they would be subject to the 4.4 per cent restraint, and then after complaining, obviously, and after political pressures on the government, the government responds.

The second thing I would like to say to the minister is that in my experience, and I am sure in the experience of many other members, one of the most constant needs of cancer patients, in addition to the obvious work that needs to be done in funding and in research on the frontiers of science, is the quality of care at home.

I say to the minister that this is a real problem in the province now. It is not only the question of care at home; it also relates to the problem of palliative care. We now have only one real palliative care unit or hospice in the province and that is for patients with acquired immune deficiency syndrome.

None of us can throw anything at the minister when she makes an announcement giving out money, but I just say to her again, in summation, that if this is a serious priority of the government, I would think that the announcement would have been made some time before the beginning of the funding year which, as the minister knows, is in April.

Second, we are still waiting for some real announcements from her ministry with respect to care at home, because this remains, in our judgement, the great, practical priority for people now suffering from cancer who do not get the kind of care at home they need. Many of them are in hospital when they would rather be at home, and that is a problem that is shared by a great many people across the province.

CONSERVATION AUTHORITIES

Mr. Pollock: I want to thank the Minister of Natural Resources (Mr. Kerrio) for finally releasing the review on conservation authorities known as the Bugar report.

I recognize the excellent job those conservation authorities do out there, but I can assure the minister that I am extremely disappointed in this report, that it is going to reduce the number of conservation authorities from 33 to 18. Those small conservation authorities do every bit as good a job as some of the larger conservation authorities. I am totally opposed to this. As far as I am concerned, this is actually a form of regional government.

With that, I want to transfer some time to my colleague the member for Cochrane South (Mr.

Pope) to comment on the Water Transfer Control Act.

WATER TRANSFER CONTROL

Mr. Pope: I wish to comment on the statement of the Minister of Natural Resources (Mr. Kerrio) with respect to the Water Transfer Control Act.

First, the reason for the legislation given by the minister is concern that the proposed free trade agreement places control of Canada's water supply at risk. At best, that is a contrived concern not based on any credible interpretation of the agreement.

Now, in spite of all these noble motives, what we really see for the first time in Ontario's history is proposed legislation which will set up a system for the diversion, sale and export of water from Ontario and Canada.

We oppose the Liberal government initiative which will allow, by ministerial permit and consent, the export of fresh water from our jurisdiction. We oppose what the minister is trying to do with the fresh water supply in the province.

More than half the residents of Ontario depend on the Great Lakes system for drinking water. Over 90 per cent of the residents depend on it for other uses, including drinking water. We oppose the Liberal government initiative which will allow for the diversion and export of fresh water needed by the people of Ontario.

Historically, our party, when it formed the government, led the way in fighting diversions or exports of fresh water. In June 1982, at Mackinac Island, Premier Davis signed an agreement with the Great Lakes governors opposing any diversion of fresh water. That was followed on November 17, 1983, with another address in Indianapolis to the Great Lakes governors; in 1984 with an address to the Midwest governors' conference, indicating Ontario's position; on May 19, 1984, with a statement I made as the Minister of Natural Resources at the time to the National Water Alliance Midwest Symposium in St. Paul, Minnesota; and with respect to the position Ontario took on June 12 to June 14, 1984, at an Ontario water resources conference entitled Futures in Water, which was hosted by Premier Davis. We have a long tradition in this province of opposing diversions and the export of fresh water to other jurisdictions.

The Liberals would provide for the export of water that we desperately need here in Ontario. Shame on them. Not only that, their legislation is phoney because they know as well as I that there

are basically two basin systems in Ontario. One is to the Arctic watershed, to Hudson's Bay, which is clearly under federal jurisdiction. The other is the Great Lakes system, which again is clearly under federal jurisdiction and subject to the Boundary Waters Treaty of 1909.

The government knows that. It knows that any diversion would take place from either of those watersheds. Both are under federal control. They know that. Their legislation is meaningless and phoney. They should be working with the International Joint Commission the way previous governments have to prevent diversions and export of water, instead of providing for the export through their consent or permit system.

It is clear that this is an important issue on which this government is prepared to sacrifice the interests of the people of Ontario and provide for the export of water. It is really another silly, meaningless irritant by a Premier (Mr. Peterson) who boasted that he could veto and frustrate a free trade agreement with the United States and who has now been reduced to sulking on the sidelines, because he has no ability to exert the kind of national statesmanship he likes to point to with the Meech Lake accord.

While the west sees the benefits of the free trade agreement and while the Maritimes see the benefits of the free trade agreement, Ontario is alone. The Premier of Ontario is alone, reduced to meaningless, trivial, legislative initiatives that mean nothing, instead of working positively for the benefits of this free trade agreement.

Mr. Speaker: That completes the allotted time for ministerial statements and responses.

VISITOR

Mr. B. Rae: On a point of order—

Mr. Speaker: Just before I accept your point of order, I was looking up to my right and I see a former member, Harry Worton, whom you might wish to welcome back today.

Mr. B. Rae: I notice the former member is as far away as he possibly can be.

Interjections.

Mr. B. Rae: No, from everybody. I do not know whether we should take that personally or not. It is nice to see you, Harry.

POLLS

Mr. B. Rae: May I point out that together with the leader of the Conservative Party, I receive every once in a while a pile of polls that have been funded by this government.

What I have noticed with the last few piles that have been produced is that they are over two years old. Here we have one, Ontarians' Attitude Towards Gasoline Prices, that is dated April 2 to April 15, 1986. It asks, for example, "Generally speaking, do you approve or disapprove of the way the provincial government is handling each of the following issues?" It is interesting to know that over two years ago, 75 per cent of northerners disapproved of the way the government was handling gasoline prices.

As a historian of the political process, I find that very interesting. As an observer of the political scene and participant—

Mr. Speaker: What is the point of order?

Mr. B. Rae: If this government is going to be open, it should be giving us the information when it has it, when it uses it and when it makes use of it, not as part of some archival project, which is the way it is approaching it at the moment.

Mr. Speaker: Order. I listened very carefully—I wish all other members would listen carefully.

I listened carefully to the member on a point of order. I do not find it a point of order. It is a point of information, I believe.

1340

ORAL QUESTIONS

Mr. Speaker: The member for Welland-Thorold.

[Applause]

Mr. Swart: Not again.

Mr. Speaker: Order. I now recognize the member for Welland-Thorold, and the question is to which minister?

ONTARIO AUTOMOBILE INSURANCE BOARD

Mr. Swart: I want to say first, I know that applause is really for the reasonableness of my question and the positive answer that I am going to get from the Minister of Financial Institutions when I ask him. I want to say that it is not ceremonial.

Of course the minister cannot admit it, but everyone knows that the idea of the Ontario Automobile Insurance Board was a scheme to get the government by the last election and will do nothing to slow down the rate hikes on insurance. However, I think the minister will admit that board process can be substantially counterproductive—those hearings in consumer protection—if there is no balance in resources between the insurance companies and the public

defenders at the coming hearing and subsequent ones.

Given that the insurance industry has intimidated that collectively it will be spending some \$5 million in preparing and presenting its case, I wonder if today the minister will tell this House what steps he is taking so that groups like the Consumers' Association of Canada and the Automobile Protection Association, and all other groups that will be defending the public, will have similar resources to do battle on the side of the motorist?

Hon. R. F. Nixon: The honourable member knows that the Osborne report recommends intervenor funding. The honourable Attorney General (Mr. Scott) just got through making a statement about a pilot program for intervenor funding, and probably, depending on the success of that at the end of three years, we might give it some consideration. But I would like to point out to the honourable member that the organizations which he refers to are broadly representative of the public and quite strongly supported by the interested public. In the past, they have not shown any inadequacies in presenting their views to all parties and to any board that has an impact on what they consider the best interests of the community.

Mr. Swart: I have to say that is simply not the case. The consumers' association has told us that it would like to make representation under the upcoming hearings, but it does not have the funds to do so adequately. I think either the minister is very naïve—and he is not—or not totally impartial, if he thinks that we will get a fair deal out of those hearings with far less evidence and pressure from those representing the motorists than from the insurance company's side.

I just want to ask the minister if he does not think the time has come for the appointment in this province of a public advocate, or a consumers' ombudsman if you will, like they now have in two thirds of the states of the United States; an advocate with resources for defending the public side equal to those of the promoters of the increases, and with the funds for that defence coming from those who want the increases?

Hon. R. F. Nixon: I think the honourable member forgets something that I consider to be important, in that the board that was appointed by order in council and announced to the House a couple of days ago is well led. It is broadly representative of the community and, in my view, will have access to independent research and be able to make its decisions in the best interests of the community.

The idea that somehow they are people without knowledge and without a will and that they are simply subject to pressures this way and that is not correct. They will be acting independently, as the honourable member would know, and I am quite confident that their decisions are going to be in the best interests of the community.

Mr. Swart: I am glad the minister raised the issue of the composition of the board. Does he not realize that the history of several of the board members is not one of impartiality to the insurance companies? They had worked directly or indirectly for the insurance companies as actuaries or consultants.

By contrast, is it not true that the minister wrote a letter, which incidentally I have here, to the consumers' association, saying that it could submit nominees who should be independent of consumer advisory groups? Then he did not appoint a single one of the four that the association nominated. Does the minister consider that fair representation to the public of this province?

Hon. R. F. Nixon: The board, I believe, has nine members and a chairman, and they are broadly representative of responsibilities and views. I believe that is the case.

Interjections.

Mr. Speaker: Order.

Hon. R. F. Nixon: Honestly, I really think the honourable member ought to give these people a chance. They have a very heavy responsibility. Their hearings, based on public input, will begin about August 15, and they are going to come up with benchmark auto insurance rates and ranges which I believe are going to be in the best interests of the community, which by law must carry automobile insurance.

NURSING SERVICES

Mr. B. Rae: At the beginning of this session, I had a number of questions for the Minister of Health concerning the nursing shortage and its impact on patients. I would like, by way of final salvo in this session, as we adjourn later on today, to tell the minister the story of Jim Garscadden, who is 57 years old. He lives in Mississauga. He has had four heart attacks in December 1987 and January 1988. He now needs a quadruple heart bypass, and I have been told by his doctor, Dr. David at Toronto Western Hospital, that the earliest date that Mr. Garscadden can be given for surgery is October 24, 1988.

When we inquired as to why that was so, Dr. David said the reason is the nursing shortage at the hospital. He then outlined for me just how severe the shortage is, showing the number of nurses who have left and the fact that there are fewer nurses now on staff than are in fact necessary to provide patient care.

I wonder if the minister can give us any more adequate an answer to this question of the nursing shortage today than she has been able to give up until now.

Hon. Mrs. Caplan: I met with the Advisory Committee on Nursing Manpower, which I reactivated shortly after arriving at the ministry, and its advice to me was that there should not be a knee-jerk reaction to this situation. What it has determined is that there is, in fact, across the province, a variance in the vacancy rates, and there are no simple or quick solutions.

There is a recognition that nurses in Ontario, through their association, the Ontario Nurses' Association, are well compensated. They have just reached a three-year agreement. There is an opportunity, and I am expecting a report from the committee—in a matter of days, I hope, perhaps weeks—which will give us some short-term as well as medium- and long-term solutions to this situation.

Mr. B. Rae: Dr. David has 120 patients, of whom 20 are considered to be urgent. The patient I have talked about is Mr. Garscadden, who has had four heart attacks in the space of a two-month period in 1987 and 1988. He needs a quadruple bypass operation and he will not be able to get it until October.

If the minister is saying that to respond to this situation is a knee-jerk reaction, I think it would be offensive to Mr. Garscadden and to all those patients who are affected by the nursing shortage.

Surely by now, the minister has been in charge of her ministry long enough that we are entitled to a clear answer. There are eight temporary vacancies in nursing staff in a 12-bed unit at Toronto Western Hospital, just to give her one specific example.

I want to again ask the minister what she is going to be doing specifically to address the needs of patients, the needs of nurses and the health care needs of this province, which are so closely tied up to this nursing shortage?

Hon. Mrs. Caplan: In recognition of the length of waiting lists and also in recognition of the need to increase capacity, as the honourable member knows, I announced a cardiac care program for this province. In fact, I have had

communication from Dr. David supporting the initiatives of the ministry in taking the kind of approach that we are taking.

We recognize that the ability to attract nurses for full-time positions is something that the hospitals are working on. We know that many of those positions are being filled by agency nurses at the present time and, in fact, this is a situation which varies from region to region around the province. I have given additional support to the nursing manpower committee and asked it to come forward with recommendations for action it sees as appropriate.

However, I would say to the Leader of the Opposition that they have cautioned me not to overreact to what has in the past been a cyclical problem which in fact is not unique to Ontario.

1350

Mr. B. Rae: It is interesting that we have come full circle. The minister is still talking about a cyclical problem. She looks at the Goldfarb report, she looks at the report of the ONA and she talks to her advisory committee itself, and I would suggest to the minister that all the information she is getting is that this is not a cyclical problem. It is a problem we share, yes, with England and the United States, but we participated in it as well and it is not going to go away. It relates to underfunding, it relates to nursing power, it relates to satisfaction on the job; it relates to a whole number of issues which the minister has not been able to address.

I would like to ask the minister specifically, when are we going to get a series of proposals from this government—if she does not give us a knee-jerk response, perhaps we are entitled to some kind of a jerk response from the minister—telling us precisely what she is going to do, what is going to happen, what is going to come forward and what is going to be done to address an issue—

Mr. Speaker: Order.

Mr. B. Rae: —that we have been raising since the beginning of the session? The minister is giving us exactly—

Mr. Speaker: The question has been asked. Order.

Hon. Mrs. Caplan: I want to caution the Leader of the Opposition not to be so fast and loose with the lip.

Interjections.

Mr. Speaker: Order.

Hon. Mrs. Caplan: It is important for him to have his facts straight, whether he is talking about nursing manpower or funding for cancer

care. There are a couple of things I would like him to know. For example, he mentioned cancer care earlier and the funding for the Ontario Cancer Treatment and Research Foundation. He might be interested to know that since 1985-86 funding for that foundation has increased by some 75 per cent.

I recognize that the role of women in our society has changed and that the role of nurses has changed. I am working with the nursing manpower committee because I recognize that, as a society, we must say to nurses that we value their contribution within our hospital system and within our province. I expect to be seeing some recommendations very soon that will address a problem which, as the member has stated, is not unique to Ontario. We must recognize that there are no simple and easy solutions to a matter which even he should admit is complex.

Interjections.

Mr. Speaker: Order. New question, the member for Sarnia.

[Applause]

Mr. Brandt: I just want to indicate, Mr. Speaker, that there was a smattering of applause from the Liberal benches as well, which I appreciate.

[Applause]

Mr. Brandt: It is getting a little better now.

Mr. Breaugh: Don't forget your troops.

Mr. Brandt: Oh, I acknowledge there was some slight applause from my own benches as well.

Mr. Speaker: The question?

WATER TRANSFER CONTROL

Mr. Brandt: My question is for the Premier and it is related to the announcement by the Minister of Natural Resources (Mr. Kerrio) with respect to the provincial government's position on water diversions. I wonder if the Premier could perhaps acknowledge that in 1987 the federal government made its position very clear relative to any sale or diversion of water to the United States, that it was totally in opposition. There have been numerous statements by provincial governments in years past, one of the most noted of which was the statement in Mackinac, the position taken by Premier Davis at that time in opposition to the sale or diversion of water.

Why is the Premier's government now taking the position, ostensibly in response to the free trade agreement, that it must now have the authority to license—if that is the way I under-

stand it—the sale of water to the United States? Why has he taken that very unusual position?

Hon. Mr. Peterson: I am very mindful of the history on this and the strong position that Premier Davis and his representatives took. It is an interesting thing. When I assumed this office, I had a little conversation with former Premier Davis, and he said to me, "One thing, David, never to forget is never give away our water," because he was mindful of the threat, as others are as well.

I say with great respect that the interpretation of the statement made by the member for Cochrane South (Mr. Pope) is absolute, complete and utter nonsense. I know my honourable friend, unlike some of his federal colleagues, has read in detail the free trade agreement. I know he personally is very knowledgeable about this. I know he would know that there is some controversy over the provisions of that agreement as it pertains to water and the various tariff schedules thereto.

This removes all that lack of certainty. This says very clearly that we will not allow those diversions and we are asserting our authority in that regard. My guess is that even if the member for Cochrane South does not agree with what we are doing, the former member for Brampton would stand up and say, "Bravo for the Ontario government."

Mr. Brandt: Let me say to the Premier of this province that I want to associate myself, as do all of the colleagues in my party, with the statement made by the member for Cochrane South as it relates to water diversion. He has clearly put on the record in his response to the minister that our party historically has opposed any sale of water to the United States of America. We continue to hold that position, and now the Premier is asking for the authority, through his statement by the minister, to license it.

Would the Premier perhaps clarify, for the information of this House, where in the free trade agreement it indicates that the sale of water, other than bottled water, is allowed to the US? Let him tell me where the diversions are in the trade agreement. Has he read the agreement?

Hon. Mr. Peterson: Yes, I have.

Mr. Brandt: I will bet he has.

Hon. Mr. Peterson: I am delighted that my honourable friend would stand in this House and agree with the government. I think he would want to have the common decency and charity to say that the government has done the right thing

rather than trump up some kind of opposition to it.

With the drought in the United States, and I am sure the member has been following this closely, the chairman of the Great Lakes governors, Governor Celeste, is now interested in this subject. Governor Thompson of Illinois, just two or three days ago, announced that he would like to do a major diversion into the Mississippi.

We can see new assaults coming on Great Lakes water. This clearly gives us the authority to prevent that from happening. We are asserting our jurisdiction and we are not going to subscribe ourselves to the ambiguity in the trade agreement over this matter.

Interjections.

Mr. Speaker: Order. We will just wait until we tone down a bit.

Mr. Brandt: With all due respect to the Premier, that is the worst kind of false bravado I have heard in this House. It really is. It is silliness of the first order to indicate that he can control the diversion in the way he is suggesting through his statement by the minister. Historically, this province has always worked co-operatively with the seven Great Lakes states in the US and with our sister province of Quebec. We have consistently taken a unified approach to no consumptive diversions of water out of the Great Lakes.

Our party stands firmly behind that position. We will consistently hold to that position. Other than giving a perception, an appearance, putting up some kind of flag to indicate he is fighting a war which is not really there, why, in heaven's name, would the Premier pick this issue—about which everyone in Canada is clearly on side; they have clearly enunciated their position that they are in opposition to the diversion of water—and try to hold that out as some phoney war against the free trade agreement?

Hon. Mr. Peterson: Why would my honourable friend not have the good grace to stand up and just agree with the government because he knows we are doing the right thing? He talks about how co-operatively the Conservative government worked with the Great Lakes governors. I have had the opportunity to work with them as well. Is he not familiar with what Governor Thompson said the other day, that he wants to increase the diversion up to some, I think, 9,000 cubic feet per second?

What I am telling my honourable friend is that there is going to be more political pressure in the United States than there was in the past, given the drought conditions. This clearly asserts our authority. We will work co-operatively with

those who oppose diversion. I assume now that we can count on my honourable friend for his support in that regard.

1400

SCHOOL ACCOMMODATION

Mr. Jackson: My question is to the Minister of Education. After repeated calls by the Progressive Conservative opposition in this House, the minister recently intervened in the Hamilton-Wentworth school space dispute and thereby rejected the now infamous Stephen Goudge award.

In so doing, the minister implied that the Goudge decision was unnecessarily creating religious division and acrimony for students in the Hamilton-Wentworth area. None the less, the minister has decided to leave the Wentworth County Board of Education with the after-taste of that decision and he has also made a decision to leave the representatives of Winona High School away from the mediation table when the Goudge decision was discussed.

Why did the minister deny the Wentworth public board an opportunity to mediate a solution and avoid the unnecessary acrimony created by the Goudge award?

Hon. Mr. Ward: The member raises a number of issues that I will try to respond to as briefly as possible. I would point out to the member, though, the decision rendered by the tribunal under the leadership of Mr. Goudge, and I will quote: "It is my view that it cannot be accomplished only by the transfer of existing facilities from public boards. To do so might impair the viability of the public secondary system. While the transfer of use can contribute to the solution of this problem, the remainder of the solution must be, in large part, a provincial responsibility and a longer-term goal."

When approached by the public board in Hamilton, when it expressed a desire, fully recognizing its obligations under Bill 30 to find a facility to replace Sir Winston Churchill Secondary School, to give a final resolution to this issue, we were willing to participate.

I would point out to the member that officials from my ministry visited all three board directors prior to those negotiations. Each one of those boards was given the opportunity to put forward its position, to express a desire to participate, on the understanding that it would be obliged to indicate at that time some recognition as to its role in finding a solution. Two of the boards agreed. The Wentworth county board chose not to participate further.

Mr. Jackson: That really is not exactly an accurate reflection of the facts as we have been able to uncover them in the last few days. In fact, on May 16, when the minister dispatched almost his most senior ministry official to Hamilton and ordered the three directors of education to meet, Frank Clifford, acting on the minister's guidance, set down specific criteria for coming back to mediation.

If I can paraphrase, Mr. Clifford's position was, "If you do not have any assets to trade or any new property to give the Catholic board, then there is no sense in coming to the table." The minister knew, when he was placing those unreasonable conditions on the Wentworth board, what he was doing. It is not a property-rich board. It does not have surplus property, as did Hamilton. In fact, it offered Dundas District High School to the separate board and the Catholic board turned it down.

My question is, given that the minister has denied the Wentworth board an opportunity to obtain even observer status at these mediation talks, why is it that Hamilton's educational needs are being met, but the Wentworth board will now be relegated to seven more years of confrontation with the separate board?

Hon. Mr. Ward: Let me reiterate, the same opportunity was afforded to the Wentworth board as was afforded to the Metropolitan Toronto School Board and its various member boards. It was the same opportunity that was made available to both the Hamilton-Wentworth Roman Catholic Separate School Board and the Board of Education for the City of Hamilton.

The Wentworth board chose not to participate in further discussions. It had previously made a decision on its own to close that facility a year earlier and conveyed that by way of a resolution on March 7. It did approach me to discuss the possibility of some assistance in facilitating an earlier transfer than the arbitrated date. We carried on those discussions in good faith. We met on at least two occasions.

The ministry did everything it could to assist that board within the bounds of being fiscally responsible. That offer was transmitted to the board and it still stands, but it has chosen not to exercise that opportunity. Much to my dismay and to the dismay of many people in this community, that school will sit vacant for a year—

Mr. Speaker: Thank you.

Mr. Jackson: The minister knows that is not exactly what went on behind closed doors. Today what we have in the Hamilton-Wentworth area is

a public Hamilton board which has its long-term commitments under Bill 30 met; we have a public board known as Wentworth which does not have them met; and we have the umbrella separate board which has half complete and half incomplete.

By his own criteria, the minister has denied Wentworth an opportunity to participate in the mediation. The minister knows the Wentworth board is not in declining enrolment. In fact, it is actually even renting spaces from the Hamilton board.

As the minister has denied the Wentworth board the opportunity to participate, will he at least give the Wentworth board a guarantee that its responsibility to transfer space under Bill 30 ends with the transfer of Winona High School? Can the minister at least give them that assurance?

Hon. Mr. Ward: I have conveyed to the Wentworth County Board of Education the offer on the part of my ministry. It consists of a substantial allocation to assist them in upgrading facilities at the two remaining Stoney Creek high schools for programs which otherwise would be lost to them. The member is wrong; there is no obligation under the bill. In addition, it was given a \$405,000 allocation and other additional considerations which were contained in that offer.

It distresses me greatly that the board has chosen not to exercise that option. In fact, what it is doing by its own admission is seeking full compensation for a transferred facility, which has not been granted anywhere else in the province and will not be granted here.

It is a very unfortunate turn of events that for all intents and purposes 1,600 students at Cardinal Newman high school are being held hostage. I can assure you, Mr. Speaker, that it might be the position of the member for Burlington South, but it is not my position that we will pay the ransom.

TEMAGAMI DISTRICT RESOURCES

Mr. Laughren: I have a question for the Minister of Natural Resources. Can the minister tell us when he expects his ministry to begin survey work and when actual construction work will begin on the Red Squirrel Road in the Temagami district?

Hon. Mr. Kerrio: No, I cannot.

Mr. Laughren: That is a very strange answer, that the minister does not know that.

Would the minister agree not to proceed with the survey work or the actual construction work

until the judicial review which has been applied for in the Divisional Court of the Supreme Court of Ontario, as I understand the legal terminology, has been dealt with? Would the minister agree that until that judicial review has been dealt with, neither the survey work nor the construction work should begin?

Hon. Mr. Kerrio: I do not think the honourable member would really expect me on the basis of that question to give that kind of commitment. This is a very involved process. We are looking at it, out of respect to all of the people in that area, and attempting to deal with it in a very responsible way. It does not follow that I am going to make those decisions on the spur of the moment.

The thing the member might do is just help us a little to resolve the problem, because he may have an interest in the north. I know this government does. I am not sure he is going to be helpful unless he does get the other side of the issue and helps us resolve it.

1410

PROVINCIAL FRAGRANCE

Mr. Harris: My question is to the Premier in his capacity as Minister of Intergovernmental Affairs. It concerns the apparently unlimited capacity of his government to discover ever more novel ways of frittering away the taxpayers' dollars.

Knowing that the Premier has a nose for the issues, I am sure he would appreciate the opportunity to bring the House up to date on the matter of his government's desire to have an official provincial fragrance. Could the Premier tell us how much money the government has invested in this project and if it is true the fragrance is to be called Eau de Yuppie, Eau de Stinking Benjamin, Eau de Tax Obsession or, in honour of his policies, D'Opium.

Hon. R. F. Nixon: You've got too many writers over there.

Hon. Mr. Peterson: I think the last official thing we dealt with was a bird as proposed by the Tory member opposite.

Mr. Harris: Obviously, Hershell has not kept the Premier informed of what is happening over there. For the information of the Premier, last September the protocol office, for which he is minister, approached Helix Fragrances Inc., a company whose president, incidentally, is the wife of a member of the Premier's Council, with the proposal to develop a provincial fragrance.

Also for the Premier's information, if I may borrow from Shakespeare's Macbeth, I can assure him that "all the little perfumes of Arabia will not sweeten" his little band. Would the Premier not agree that at a time when his government claims and has demonstrated it cannot afford to properly fund hospitals or schools, investing in a provincial fragrance at \$5,000 for the first 50 ounces and \$90 for every ounce thereafter is nonsense and that it shows a contempt—

Mr. Speaker: The Premier.

Mr. Harris: —for the taxpayer and that, in short, it stinks.

Mr. Speaker: Order.

Hon. Mr. Peterson: I agree with my honourable friend that we do not need a provincial fragrance. I think sufficient aroma is provided by the members opposite.

FOOD PRICES

Mr. Kozyra: I have a question for the Minister of Consumer and Commercial Relations. As a rule, northerners are accustomed to some price variations on such items as gasoline, groceries, travel and construction costs. Most of these prices are higher than those in southern Ontario. For the past few months, the local Thunder Bay newspaper has been doing a weekly northwestern Ontario food pricing comparison survey. The survey consists of a standardized list of grocery items purchased in normal food outlets in 11 northwestern Ontario communities ranging from quite small communities like Ignace to quite large ones like Thunder Bay. What bothers me is the fact that consistently Thunder Bay finishes near the top of this list, not an enviable position.

The comparison shopping results this week produced startling differences. Thunder Bay's total of \$21.32 was 46.5 per cent higher—

Mr. Speaker: Do you have a question?

Mr. Kozyra: —than the lowest total, Kenora's total of \$14.55. To make matters worse, Thunder Bay's total was 26 per cent higher—

Mr. Speaker: Question.

Mr. Kozyra: —than the second highest out of 10 communities. Can the minister explain the reasons for this huge discrepancy, which amounts, in my opinion, to a ripoff of Thunder Bay consumers?

Hon. Mr. Wrye: The honourable member will want to know, and I certainly would understand his concern and that of his constituents, that the Thunder Bay Times-News survey

contained on this occasion two very significant inaccuracies on two of the items, namely, potatoes, in which the item was misstated by, I think, \$1 and sugar where the survey taken in Thunder Bay was for a four-kilogram package as opposed to two kilograms, which were quoted for all the other communities.

Notwithstanding that, the honourable member is correct that Thunder Bay tends to run towards the top of that list and runs towards the top of our list of northern communities that are surveyed under our own monitoring program. I can say to the honourable member very briefly that the monitoring program is now being reviewed to see whether it can be made perhaps more accurate in that the surveying results—

Mr. Speaker: Thank you.

Hon. Mr. Wrye: —are not properly put together.

Mr. Kozyra: As a supplementary, I appreciate the fact that the minister points out a few discrepancies in this week's list, but it is a chronic problem. It is on a weekly basis. Given that these price differentials appear to be the chronic problem rather than a fleeting abnormality, will the minister consider a formal study of the situation in the hope of providing a satisfactory conclusion?

Hon. Mr. Wrye: As I suggested to the honourable member, we currently survey some 72 items, and I am advised that there are concerns that the methodology is not well done.

I would want to say, since I am hearing some noise across the House from the official opposition, that our most recent survey of food prices showed that of the 72 items that we survey, the Thunder Bay prices were, I think, 5.9 per cent higher than in Kenora but they were 4.6 per cent lower than in Toronto. I would not want my friends to be left with the impression that the methodology changes are necessary to rig the prices higher or lower than in southern Ontario.

Our concern is that if we are going to have this kind of monitoring survey, it ought to be as accurate as possible, and work is ongoing to make sure that is the case.

ONTARIO LEGAL AID PLAN

Mr. Hampton: My question is for the Attorney General. The Attorney General recently completed a conference on Access to Civil Justice. In relation to that, it was brought to my attention that in the two years prior to the last election, the Ministry of the Attorney General provided funds for six community legal aid clinics in 1986 and seven community legal aid

clinics in 1987. So far, it is my understanding that no funding has been advanced this year for all of the worthwhile applications that have come in this year.

Can the Attorney General explain why the government was so, shall we say, bountiful before the election and now, one year after the election, there is no funding as yet for legal aid clinics in the province?

Hon. Mr. Scott: First, to deal with the introductory part of the question, we did have a very useful conference of consumer groups that met with judges. I am sorry the honourable member, though invited, was unable to attend any of those sessions. I think he would have found them interesting and useful. We missed getting the benefit of his advice that way, but I guess we get it this way.

The honourable member has his facts wrong. Traditionally in Ontario, new clinics have been funded by the Ontario legal aid plan at the rate of about two or three new ones each year. That has been the traditional pattern. Last year we funded six new legal aid clinics, which was the largest number ever funded in one year. This year, first of all, we have continued the funding of all those clinics and have increased it to reflect the cost of living. We have also provided a larger budget for clinics, to reflect the number of duties they perform.

At the present time, we are in the course of discussing with the clinic funding committee of the Law Society of Upper Canada its plans for next year, and it would be premature to draw the kind of conclusion that, on the last day, my honourable friend is so anxious, so cynically, to draw.

Mr. Hampton: I do not want to get into an argument with the Attorney General over the facts, but I called his office yesterday and I was assured that in 1986-87 six clinics were funded and in 1987-88 seven fact were funded, although it is true one is not operating. It is also true—and I want to indicate this to the Attorney General—that it is customary that the budgets are increased in the second or third year because, as the clinic opens, it draws in more people.

However, the Attorney General has missed the point. The Attorney General knows there are more landlord-tenant disputes, more waiting lists of injured workers and more Social Assistance Review Board applications. There have been over 13 applications for new community legal aid clinics; yet none of them has heard as yet as to whether or not it is going to be approved this year.

Mr. Speaker: Question?

Mr. Hampton: Can the Attorney General indicate if they are going to hear soon, at least?

Hon. Mr. Scott: If the honourable member wants the factual information on which to base his question, he just has to ask me and I will be happy to give it to him. The fact is that last year the government authorized the creation of six new clinics under the Ontario legal aid plan and funded at a higher level the existing clinics—I think some 50-odd—in the system.

1420

I think the reason the honourable member has the facts wrong is that the clinic funding committee did not open all of those clinics last year. The Peterborough clinic, which is the latest, was in fact opened this year. That is where the honourable member has gone wrong in his question.

Now, if he wants to know about the future, the answer is—

Mr. Hampton: This year.

Hon. Mr. Scott: Oh, no. In Ontario, this is the future. If he wants to know about current plans—let me put it that way—we are already discussing with the Law Society of Upper Canada its plans with respect to clinics. Just so the honourable member will know, the process is this: They interview the community groups that want to establish clinics—

Mr. Hampton: It has already been done.

Hon. Mr. Scott: No, it has not been done. They then conduct hearings and have an appeal process, and then they rank them in the order that they would support their introduction to the clinic system. At that point, after budgetary considerations come into play, we tell them which or what number of clinics we will be prepared to fund this year. That process has not taken place. We are on track, not to worry.

HOSPITAL SERVICES

Mr. J. M. Johnson: My question is to the Minister of Health. On May 25, in this House, I asked the minister what she could do to help David Elgie, who is suffering a painful two-year wait for surgery to replace a deteriorating hip joint.

The minister will recall that she met with David Elgie after question period that day. She promised to provide him with a list of alternative hospitals with facilities equal to those of the Orthopaedic and Arthritic Hospital on Wellesley Street, Toronto, but which have shorter waiting

lists for the particular type of hip replacement surgery he requires.

That was over a month ago. Mr. Elgie has not heard anything from the Ministry of Health. My question to the minister is this: What has the minister done to help David Elgie find the health care he needs?

Hon. Mrs. Caplan: The member opposite knows in fact that I met with his constituent. I think he knows also of my concern in ensuring that the people of Ontario have information so that they can make appropriate choices and receive needed care as close to home and in as timely a way as possible.

For the member's information, I instructed the ministry to call his constituent and to give him the information. If that has not been done, I will look into it today.

Mr. J. M. Johnson: That response will be of little satisfaction to Mr. Elgie. Next year at this time, his doctors have told him, he will be in a wheelchair if he does not have the operation he needs.

Since the minister cannot or will not provide the necessary funding for Mr. Elgie's operation, will the minister permit David Elgie to pay for his own hip replacement operation so that he may avoid becoming a disabled cripple?

Hon. Mrs. Caplan: I cannot express strongly enough to the member opposite that in my view, when we have a situation where we have a two-week waiting list in one hospital and a waiting list of months in others, this is not simply a question of funding. We believe that there are resources available, and we will be pleased to get the information to Mr. Elgie so that he can request a referral to a surgeon, as close to home as possible, who will be able to provide him with the surgery in a timely manner.

ACCESS FUND

Mr. McGuinty: I have a question for the Minister without Portfolio responsible for disabled persons. I am committed to the principle that disabled persons have rights equal to other citizens. As a result, I have recently moved my own constituency office to a ground-floor location to be more accessible, and I have encouraged others who serve the public to do likewise.

However, two organizations in the Ottawa-Carleton region which wanted to make their facilities more accessible have recently been rejected after applying to the Ontario government's access fund. Will the minister for disabled persons explain why the Ottawa Civil Service Recreation Association and St. Joseph's

parish in Gloucester were turned down by the access fund, which was established to help remove physical barriers faced by disabled persons?

Hon. Mr. Mancini: The member raises a very good point about constituency offices. I think it was very admirable that he took the step to move his office to an accessible location. I have recently done the same thing myself.

In regard to the two particular applications, which I know he is extremely concerned about, he has raised this matter with me, I have had a complete review done and I want to answer the member very directly if I can. The Ottawa Civil Service Recreation Association is a private recreation centre and is not designated for either senior citizens or people with disabilities. The St. Joseph's Parish Hall in Gloucester had completed its renovations prior to January 1988, before its application for funding had been approved.

I want to say to the member that the application form was included in a book sent to all organizations that showed interest and the guidelines have been strictly adhered to. There have been colleagues across the floor, from both the New Democratic Party and the Conservative Party, who have raised similar questions about access fund grants, and I want to tell all members of the House that no exceptions have been made. We have followed the guidelines as closely as possible.

Mr. McGuinty: Because of heavy interest in the access fund in the Ottawa-Carleton region and elsewhere in Ontario, will this fund be expanded in the near future? As well, can the minister indicate what types of facilities have been funded and tell the Legislature whether this fund or some other fund can be used to make sure that constituency offices of members are accessible to disabled persons?

Hon. Mr. Mancini: Let me deal with the last portion of that question first. I want to state that in fact I wrote to Mr. Speaker back in February of this year, outlining my concerns about the accessibility of constituency offices. I understand that at least another seven to eight members, including the member opposite, have also written to Mr. Speaker about the need for accessible constituency offices.

I am sure the Minister without Portfolio responsible for senior citizens' affairs (Mrs. Wilson) would agree with me completely that it is absolutely necessary for offices as important to the general public as MPPs' offices to be accessible, and I hope that we undertake a

long-range program—not too long, I hope—to make that a reality.

I want to say to the honourable member opposite that I appreciate his sincerity and his sensitivity on these matters that affect people with disabilities. The access fund has proven to be very successful. We have given out nearly \$1.6 million in grants between October 1987—

Mr. Speaker: Thank you.

NIAGARA ESCARPMENT COMMISSION

Mrs. Grier: I have a question for the Chairman of the Management Board of Cabinet. I know that on a number of occasions the minister has heard me wrench from the Minister of Municipal Affairs (Mr. Eakins) affirmations of his support for preservation of the Niagara Escarpment Commission, but after there was public concern about the effects of budget cutbacks on the escarpment commission the Premier's office established a budget-base review committee, which is to report on August 31.

Yet on June 20, the Niagara Escarpment Commission had to put into effect a further budget cut of eight per cent. Total estimates of the effects of budget cutbacks on the commission range as high as 38 per cent. Does the Chairman of Management Board think that this kind of financial management is consistent with preserving the Niagara Escarpment?

Hon. Mr. Elston: I am not responsible for the Niagara Escarpment. I do want to say, though, that my predisposition with respect to my role in implementing all aspects of the budget of Ontario is to ensure that in fact people who are assigned budgets live within those budgets and that if necessary budgetary steps are taken, of course they take them in a reasonable and sensitive manner so that they can carry out the mandate which they are given to do for the people of the province.

1430

Mrs. Grier: I do not think there is any suggestion that the commission has not been living within its budget; it is a question of whether in the management of that budget and in the manner in which cutbacks or constraints have been imposed, there is in fact any consistent financial management that allows the commission to continue with its mandate.

Given the fact that commission employees can no longer be accompanied by a lawyer when they go to Ontario Municipal Board hearings; the fact that the commission meets now every three weeks instead of every two weeks; the fact that the commission's own reports indicate that there

are delays in permit and amendment processing; and that land use decisions and contravention activity in conflict with the approved plan are leading to a deterioration of the Niagara Escarpment environment, does the chairman of Management Board think that those kinds of effects of budget cutbacks are consistent with financial management and preservation of the escarpment?

Hon. Mr. Elston: It seems to me that the honourable member makes the same mistake as in the rhetoric that comes from her leader and that others have been most recently making, and that is that there has been somehow an absolute cutback in the number of dollars we have flowed to those people in all parts of the province. In fact, the Treasurer (Mr. R. F. Nixon) has in all cases been very generous with an expansion in the budgetary provisions for the transfer payment agencies and other agencies of the province that the province provides money for.

The situation which the member is talking about, I presume, has come about because there is an increasing workload in all areas of the province, not only with respect to the Niagara Escarpment Commission but also with respect to almost every agency that comes before us, as individual members or as cabinet ministers, to tell us that they in fact are the worst done by when it comes to dealing with increased workloads.

It seems to me that anyone who is given a budget will have to manage within the budget that is given. I do not know the actual details of the Niagara Escarpment Commission, but I am quite prepared to take a look at it. If the honourable member is asking me to do a Management Board review of its budgetary process, as well as the one which I think she mentioned in the first part of the question, I am quite prepared to take on an examination of the budgetary process and provide some details of exactly what was or was not done with respect to the internal management of that. If that is what the honourable member is asking, I am prepared to accept that responsibility and, in conjunction with my colleague the Minister—

Mr. Speaker: Thank you.

ONTARIO FAMILY FARM INTEREST RATE REDUCTION PROGRAM

Mr. Villeneuve: My question is to the Minister of Agriculture and Food. The minister must be aware that Ontario farmers are facing financial pressures because of a lack of adequate rainfall. Can the minister assure this House that he will instruct his officials to speed up the

issuing of Ontario family farm interest rate reduction program cheques, instead of having farmers go through financial and accounting gymnastics for some two months prior to receiving their cheques after having been tentatively approved?

Hon. Mr. Riddell: I am certainly not aware that there has been any undue delay in getting the cheques out to the producers. It does take a period of time. We try to get the cheques out within a period of four to five weeks, which is only normal; but I will certainly check to see if there is some reason that cheques are not getting out to the producers within the time frame that we feel should be allowed in order to process these cheques.

Mr. Villeneuve: I have had a number of people come to me and state that there seemed to be no problem last year, even with the letter that was coming out and parts of which I quoted to the minister some weeks ago. However, this year there seems to be a delay and it appears to be an intentional delay. I hope that is not the minister's way of trying to make an internal saving. Last year, \$20 million was saved within his ministry. I hope that is not one of the ways he is using to try to save within his ministry.

Hon. Mr. Riddell: Being the honourable gentleman that the member of Stormont, Dundas and Glengarry is, I am surprised that he would even make that kind of suggestion. Our staff is working very hard to process these cheques, but the honourable member also has to realize that occasionally we have to get additional information from the person who made the application. Of course, that slows up the process, but if the accurate information had been applied in the first place, then I see no reason we could not get those cheques out to the farmers within a period of four to five weeks. I will look into it.

AMBULATORY CARE CENTRE

Ms. Collins: My question is for the Minister of Health. The minister is aware that a health facility has been badly needed in the east Hamilton-Stoney Creek area for many years. Last July, the government committed the funds necessary to build the St. Joseph's ambulatory care centre to service the people of these communities.

At the beginning of April of this year, St. Joseph's Hospital presented the architectural plans for the centre to her ministry for its approval. Could the minister please update the House on the progress of the ministry review of those plans and indicate when her ministry might

give the go-ahead which would allow contracts to be let and the construction started on this important project?

Hon. Mrs. Caplan: First, let me acknowledge the member's interest in this particular project. I am aware that the ministry officials have met with hospital representatives to review their plans. The hospital was asked to make some changes so that the plans could conform with the original budget approved by the ministry. It is my understanding that the ministry is awaiting the revised plans to be submitted by the hospital.

Ms. Collins: Many people in the east Hamilton-Stoney Creek area have expressed concern that the government might reconsider its funding commitment to help complete the ambulatory care centre and might delay the construction of this centre because of budgetary constraints. Can the minister now give these people an assurance that if the hospital resubmits its architectural plans within budget, her ministry will approve this much-needed health facility without delay?

Hon. Mrs. Caplan: I want to assure the member and her constituents that once the plans received by the ministry are acceptable, the normal planning process will continue, and I expect that the plans and the project will then move into the tendering process.

As a matter of principle, I think it is important to restate what I have been saying to some of the hospitals in the planning process; that is, that I think as a general principle it is important that we see we can manage the resources that are already allocated before we allocate new and additional resources.

NORTHERN ONTARIO UNIVERSITIES

Mr. Morin-Strom: I have a question for the Minister of Colleges and Universities. An announcement was made just over a week ago by the Ministry of Northern Development and Mines that \$500,000 was going to be given for 25 geoscience research projects in Ontario; but only two of the 25 projects are going to northern Ontario, where I assume we need the work in terms of geology and mineralogy, and over 96 per cent of the funds from the Ministry of Northern Development and Mines for these research projects are going to universities in southern Ontario.

Could the minister tell us why we have not developed at our schools in northern Ontario the kind of research capability that is needed to promote the subjects of geology and the better usage of our mineral wealth in northern Ontario?

What is she doing to improve that research capability?

Hon. Mrs. McLeod: First, I would like to recognize that there are, of course, very important and growing programs in the whole area of mining and other areas which are of concern to northern Ontario. I would point to programs at Laurentian University as well as at colleges in northern Ontario. It is also a fact that there are very well established programs in the universities of southern Ontario, including the University of Toronto and Queen's University. Clearly those kinds of programs are going to continue to receive some support.

I think research carried out in this province will certainly serve the interests of northern Ontario in whichever centre it is carried out, but I also concur that there is an important emphasis on growth in our northern universities in these areas.

Mr. Morin-Strom: As a representative of a riding in northern Ontario, surely the minister must be embarrassed when the Ministry of Northern Development and Mines is providing 96 per cent of its funds to universities in southern Ontario.

One could look at the only really major initiative in terms of university research funding, which is the centres of excellence program. In that program, 100 per cent of the funding went to programs at universities in southern Ontario.

When is this minister going to take the needs of northern Ontario seriously and develop real research capability and graduate school programs at universities in northern Ontario?

1440

Hon. Mrs. McLeod: I would like to respond to that question in terms of taking the needs of northern universities and colleges seriously. This government and I as minister, and as a minister who comes from northern Ontario, consider that to be a very direct and important challenge.

I would want to point out that in addition to getting full support on the same basis as other universities and colleges in this province, we provide special grants to northern colleges and universities in order to ensure that they can continue to grow and improve their programs.

I would like to point out that when the centres of entrepreneurship were established, two of those centres went to northern institutions. I would also like to suggest that one of the areas in which we are continuing to make progress is the examination of linkages between northern colleges and universities and those in the southern area that have extensive research capacities. I

believe the extension of linkage programs is an important part of the development, but I also recognize how much we are doing to directly support northern colleges and universities.

PETITIONS

CAMBRIDGE MEMORIAL HOSPITAL

Mr. Farnan: I have some additional petitions concerning the Cambridge Memorial Hospital; altogether, an additional 364 petitions similar to the one I presented yesterday. It reads:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas we believe Cambridge Memorial Hospital is doing an admirable and efficient job of serving the people of Cambridge, we fully support the board of directors and administrators of the hospital and believe they should be given adequate funding to maintain the high level of service without government interference."

That represents, at this stage, well over 12,000 signatures.

The second petition comes from the Cambridge Academy of Medicine this time. There are over 3,000 petitions. I would add that some of the names repeat themselves from the other petition, but it is separate.

"To the Honourable Elinor Caplan, Minister of Health, province of Ontario, to the Lieutenant Governor and the Legislative Assembly of Ontario:

"I believe Cambridge Memorial Hospital is doing an admirable and frugal job of servicing the people of Cambridge and North Dumfries. I fully support the board of directors and administrators of the hospital and believe they should be given adequate funding to maintain the high level of service without unwarranted government intervention. I urge you to order a public inquiry into this matter and to restore honour to our community."

It has over 3,000 signatures, and I will deliver these via the page.

Mr. Speaker: You have signed them yourself?

Mr. Farnan: I have indeed.

TENANTS' ADVOCATES

Mr. B. Rae: I have a petition that relates to the lack of tenant legal services in my constituency. Last year, Tenant Hotline was denied funding by the provincial government and as a result, it folded. We now have a serious lack of funding for the Working Committee for Tenant Legal

Services in the city of York, so I have a petition. I am glad the Attorney General (Mr. Scott) is here and I—

Mr. Speaker: I hope the member will present the petition.

Mr. B. Rae: "To the Honourable Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas in June 1987, Tenant Hotline, the only community-controlled tenant advocacy clinic serving city of York tenants, was closed by the clinic funding committee; and

"Whereas there is the continued need for at least six tenant advocates to assist tenants with such ongoing problems as the retention of affordable housing, rent review cases, building maintenance, evictions, law reform and organizing;

"Therefore, we the undersigned residents of the city of York petition for the funding of new tenant advocacy services serving the city of York tenants comprising: (1) at least six full-time staff, and; (2) one or more community-controlled tenant services based in the city of York."

It is signed by well over 1,000 residents of the city of York and I am affixing my signature to the petition.

RETAIL STORE HOURS

Mrs. Cunningham: I have some petitions here.

"To the Honourable Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Has anyone considered the impact of the opening on Sunday of regional malls on the smaller Ontario communities? Do we want dead towns and villages like the west and some of the US states? We say no to Sunday openings."

There are 150 signatures of residents from London and surrounding areas that were collected at Panda Shoes in Masonville Place, London. I have added my name and will turn these petitions over to the House for the record.

COMMUNITY CENTRE

Ms. Poole: I have a petition signed by 2,277 members of the Yonge-Eglinton community. It reads:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of the province of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"The proposed community centre (of any size) should not be located in Eglinton Park because of the overwhelming adverse impact it will have on the green space and its use. New efforts should be made to locate an acceptable site, one outside an existing city park."

RETAIL STORE HOURS

Mr. Callahan: I have a petition signed by about 30 people addressed:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We urge the Ontario Legislature not to pass legislation that would pass responsibility for regulating Sunday and holiday retail hours to the municipalities in Ontario. Rather, the Ontario government should revise its current legislation in order to uphold more strongly a common pause day across the province. We believe that a common day for family and worship activities is essential to the wellbeing of Ontario."

It is signed by 30 of my constituents and I have signed it as well.

Miss Martel: I, too, have petitions concerning Sunday shopping and Sunday work. The first petition is signed by 22 employees of Central Auto in Sudbury and the second petition is signed by 46 employees of Mid North Motors. They are urging this government not to change the Retail Business Holidays Act and to maintain it under provincial jurisdiction. I have signed my signature to both.

TEACHERS' SUPERANNUATION FUND

Mr. Laughren: I have a petition that reads as follows:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"To amend the Teachers' Superannuation Act, 1983, in order that all teachers who retired prior to May 31, 1982, have their pensions recalculated on the best five years rather than at the present seven or 10 years.

"This proposed amendment would make the five-year criteria applicable to all retired teachers and would eliminate the present inequitable treatment."

RETAIL STORE HOURS

Mr. Laughren: I have another petition.

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"In recognition of the importance of a day of pause in our Canadian society we ask that the Retail Business Holidays Act be maintained and strengthened. That the act remain under the jurisdiction of the Ontario Legislature rather than be transferred to local municipalities for administration."

I have another bundle of petitions.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We urge Premier Peterson not to proceed according to the legislation he has announced, but instead strengthen protection for all workers who do not want to work on Sundays; to not pass the buck to local governments on this issue; and to maintain a common pause day for working people and working families in Ontario."

Hon. Mr. Kerrio: On a point of order, Mr. Speaker: I rise to correct the record if I may.

Mr. Speaker: Your record?

Hon. Mr. Kerrio: Yes.

MADAWASKA TRUST PARK

Hon. Mr. Kerrio: I would like to correct the record of a response I gave to the member for Hastings-Peterborough (Mr. Pollock) if he is listening. In reviewing my response, I may have left the impression that the ministry supports the concept of a wilderness park in eastern Ontario. I wish to make clear that proposals for a wilderness trust in the Madawaska highlands are a private initiative and are not supported by the government.

1450

REPORTS BY COMMITTEE

STANDING COMMITTEE ON PUBLIC ACCOUNTS

Mr. Philip (Etobicoke-Rexdale) from the standing committee on public accounts presented the committee's third interim report, 1988, and moved the adoption of its recommendations.

Mr. Philip: In February, the standing committee on public accounts questioned officials of the Ministry of Consumer and Commercial Relations and the Liquor Control Board of Ontario on the Provincial Auditor's findings of various operating deficiencies at the LCBO.

The LCBO has been a subject of scrutiny by the public accounts committee and the auditor ever since 1983.

The auditor's 1987 report suggests that a number of problems identified in the past had not

been satisfactorily resolved at the time of the audit.

In its hearings, the committee was informed that the LCBO was in the midst of a major transition which was intended to modernize the operation and improve its efficiency.

The committee recommends that the LCBO submit an interim report within 120 days of its report, describing progress on the various initiatives, and that it provide a comprehensive report to the committee by March 31, 1989, on further progress achievement.

The committee, of course, reserves the right to recall the LCBO for questioning if it deems necessary.

On motion by Mr. Philip, the debate was adjourned.

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Mr. Fleet from the standing committee on regulations and private bills presented the following report and moved its adoption:

Your committee begs to report the following bills with certain amendments:

Bill Pr49, An Act to revive Lebon Gold Mines Limited;

Bill Pr72, An Act to revive 329931 Ontario Limited.

Mr. Fleet: I hope we are going to dispose of these matters today, as well as the ones that are already listed.

Motion agreed to.

INTRODUCTION OF BILLS

INTERVENOR FUNDING PROJECT ACT

LOI SUR LE PROJET D'AIDE FINANCIERE AUX INTERVENANTS

Hon. Mr. Scott moved first reading of Bill 174, An Act for the establishment and conduct of a Project to provide Funding to Intervenors in Proceedings before a Joint Board under the Consolidated Hearings Act, 1981 and before the Ontario Energy Board and the Environmental Assessment Board and to provide for certain matters in relation to costs before those Boards.

L'hon. M. Scott propose la première lecture du projet de loi 174, Loi concernant la mise sur pied de la direction d'un projet visant à fournir une aide financière aux intervenants dans des affaires instruites devant une commission mixte créée en vertu de la Loi de 1981 sur la jonction des audiences, devant la Commission de l'énergie de l'Ontario et devant la Commission des

évaluations environnementales visant certaines questions relatives aux dépens adjugés par ces commissions.

Motion agreed to.

La motion est adoptée.

Hon. Mr. Scott: Under the guise of explaining the bill, which was described in my statement, I would like to congratulate all who read its title today for their performance.

I would also like to do something I have never done before, but should have done, which is to congratulate legislative counsel on the work they generally do to assist all members of the House.

Let me give an example that I am sure other members have had. I had every intention of introducing this bill before the end of the session, which I predicted would be about July 15, and I anticipated introducing this bill about then. When it turned out that the House might rise earlier, I went to legislative counsel and, literally, they worked overnight to produce a bill that is no doubt without any defect whatever. I want to congratulate them and thank them for the service they provide to all of us in this House.

WATER TRANSFER CONTROL ACT

Hon. Mr. Kerrio moved first reading of Bill 175, An Act respecting Transfers of Water.

Mr. Speaker: All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Motion agreed to.

Hon. Mr. Kerrio: The purpose of the bill is to ensure for Ontario and Canada a secure supply of water. The bill prohibits the transfer of water out of a provincial drainage basin without the approval of the Minister of Natural Resources. The minister is authorized to attach conditions to an approval and to require payment for a transfer of water. Approval will be refused or revoked if the minister is of the opinion that the transfer is or may be detrimental to ensuring a secure water supply for Ontario or Canada or any part thereof.

ROCKTON WINTER CLUB INC. ACT

Mr. Elliot moves first reading of Bill Pr42, An Act to revive Rockton Winter Club Inc.

Motion agreed to.

EMPLOYMENT STANDARDS AMENDMENT ACT

Mr. Kanter moved first reading of Bill 176, An Act to amend the Employment Standards Act.

Motion agreed to.

Mr. Speaker: Does the member have an explanation?

Mr. Kanter: Yes, Mr. Speaker. The purpose of the bill is to permit an employee who adopts a child to take up to 17 weeks of leave following the placement of a child with the employee for the purpose of adoption. Adoption leave will be available to either the adoptive father or the adoptive mother.

ORDERS OF THE DAY

1987 CONSTITUTIONAL ACCORD

ACCORD CONSTITUTIONNEL DE 1987

Hon. Mr. Conway moved, on behalf of Hon. Mr. Peterson, resolution 6:

Whereas the Constitution Act, 1982, came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

And whereas the government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effect to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

And whereas the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

And whereas the amendment proposed in the schedule hereto also recognizes the principle of the equality of all the provinces, provides new arrangements to foster greater harmony and co-operation between the government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

And whereas certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the Constitution Act, 1982;

And whereas section 41 of the Constitution Act, 1982, provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

Now therefore the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the

Governor General under the Great Seal of Canada in accordance with the schedule hereto.

L'hon. M. Conway présente, au nom de l'hon. M. Peterson, la résolution 6:

Attendu que la Loi constitutionnelle de 1982 est entrée en vigueur le 17 avril 1982, à la suite d'un accord conclu entre le Canada et toutes les provinces, sauf le Québec;

que, selon le gouvernement du Québec, l'adoption de modifications visant à donner effet à ses cinq propositions de révision constitutionnelle permettrait au Québec de jouer pleinement de nouveau son rôle dans les instances constitutionnelles canadiennes;

que le projet de modification figurant en annexe présente les modalités d'un règlement relatif aux cinq propositions du Québec;

que le projet reconnaît le principe de l'égalité de toutes les provinces et prévoit, d'une part, de nouveaux arrangements propres à renforcer l'harmonie et la coopération entre le gouvernement du Canada et ceux des provinces, d'autre part la tenue de conférences consacrées à l'étude d'importantes questions constitutionnelles, économiques et autres;

que le projet porte en partie sur des questions visées à l'article 41 de la Loi constitutionnelle de 1982;

que cet article prévoit que la constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par les résolutions du Sénat, de la Chambre des communes et de l'Assemblée législative de chaque province,

l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe voir le Procès-verbal du 29 juin 1988».

1500

Mr. Brandt: It is with pride and with, I might add, some degree of humility that I rise to speak to the resolution asking this parliament to endorse the Meech Lake accord. The reason for my feelings is that in speaking to this resolution, I am participating in an act of nation-building with my colleagues in this Legislature and also with those speakers who contributed to this discussion before me and with those who will follow me as well. It cannot and should not be perceived as anything less than nation-building and should not be addressed as anything less than that noble goal.

We in this House often debate matters of great importance and significance to the citizens whom

we have the honour to represent, but it is rarely that we have the opportunity to address a subject or issue that in a very direct and dramatic way reflects the entire country and, flowing from that, the diverse cultural and historical elements that comprise the great nation we call Canada.

Central to those elements and integral to our country's past, present and future is our sister province of Quebec. This accord and this debate have a great deal to do with how we perceive Quebec's role in our constitutional family.

Nation-building has never been an easy exercise in Canada. It has proven even more difficult at times because of our diverse roots and our different histories and backgrounds. Even, I might add, the sheer physical size of our country has at times worked against us. But these obstacles were overcome, for in the final estimation the people who formed this country believed in it.

As the historian Frank Underhill said in 1964, "A nation is a body of men who have done great things in the past and who hope to do great things together in the future."

That is how we should approach the constitutional amendment agreed to last year at Meech Lake. The amendment, while the result of deliberations of the Prime Minister and the 10 premiers, has a life, a reality, if you will, beyond those of its creators, just as it has a beginning that stretches back to our original Constitution and a future or a development that will far exceed our own lifetimes. It is this fact that we must remember as we debate the resolution; that this is not a closed loop or a circle but another step in the development and reform of the blueprint on which our country is based.

This step, however, is an important one. Its purpose is to undertake a series of reforms that redefine the relationship and the role of the 10 provinces and the federal government. It undertakes to recognize and react to important developments in our society that demand a greater accountability and recognition of the diverse needs of the different areas of our country.

As far-reaching as the reforms of the 1987 constitutional amendment may be, there is one major consideration that I believe overshadows these and demands that even the opponents of the accord—and I admit there are many—deliberate at great length before they say no to Meech Lake. That consideration, the major achievement of Meech Lake, is the welcoming back of Quebec into the Canadian constitutional family.

This achievement, this goal, is not one that we in this House or in any other government chamber across this entire country should pass over lightly. By having Quebec as a signatory to the Constitution Act, 1982, all Canadians are reaffirming once again that yes, we believe in a united version of Canada; yes, we believe in recognizing the historical roots from which our country grew; and yes, we believe in the future of a strong, united Canada that will continue to represent to the rest of the world an oasis of understanding and democracy, that will represent a constitutional house that is strong, not because it vies to make all of us the same but because we understand, accept and rejoice in our diversity.

It is this vision that I believe guided the deliberations of the Prime Minister, the Premier (Mr. Peterson) and the other nine premiers at Meech Lake. It is a vision that is perhaps best described by the words of Sir Wilfrid Laurier, who said, "The governing motive of my life has been to harmonize the diverse elements which compose our country."

There have been many critics of the accord, including a number of notable politicians, esteemed lawyers and groups representing women, multicultural and native people, just to mention a few. As well, we have had strong representations made to our select committee, whose report we have debated, as well as in other forms, by government leaders from the Northwest Territories and the Yukon. While I do not intend to list all the concerns expressed since the advent of the Meech Lake accord, the question that has to be asked is, are the concerns that have been articulated legitimate? Is the accord risking too much? Put even more bluntly, is the price to allow Quebec to sign the Constitution Act too high?

Let me begin my answer by saying that the Meech Lake accord is, as we all know, a man-made document. By that definition, it perhaps cannot be perfect. It does not answer the needs of everyone. Yes, I think the concerns expressed are legitimate. Not for a moment do I think that any of us can presume to know at this time the full implications of what has been agreed to. Just as each day the effects of the Charter of Rights and Freedoms are being felt, so too we face a similar scenario after the proclamation of the Constitution Amendment, 1987.

But in this instance, though my party and I recognize and have tried to address the concerns expressed, in the final deliberation, as I weigh the intent of the accord, as I weigh my

understanding, my knowledge of what the Prime Minister and the 10 premiers attempted to achieve, as I consider the spirit with which they entered into these deliberations and finally reached an agreement, I believe the Meech Lake accord, flawed perhaps as it is by being a man-made document, should be ratified by this Legislature and eventually accepted throughout our country. That is not to say we cannot take some steps now to alleviate the concerns expressed, and I will return to that later.

Another area that has received a great deal of criticism is the process by which this accord was reached. The process was examined in great detail by the select committee on constitutional reform. I will not at this time reiterate its findings here, except to say simply that our party concurs with the need to ensure that the 10 provincial parliaments and the federal Parliament are not put in such a position again.

In a business where perception too often takes a back seat to reality, constitutional reform must be placed in a very special category. Not only should constitutional reform be seen to flow from the people we have the right and the honour to represent, but our constituents, the people of Canada and Ontario must have a more direct say, a more direct voice, in how our founding document is altered and what effect those alterations will have on our society.

The members of the House have heard my thoughts on this matter. They have heard, earlier this week and today, many other eloquent arguments, both for and against the ratification of the resolution on the Meech Lake accord. I want to say I recognize the depth of feeling among some members, the sincerity and the honesty which compel different members from all three parties to voice their opinions on this important resolution.

I also recognize that from where I view the goal of Meech Lake, the safeguards I believe to be in place are adequate to require, in fact to demand my acceptance of the accord, whereas others may not see that position and that decision so clearly. It is for this reason that I believe a free vote is imperative and necessary.

1510

However, I still believe that there is a compromise possible, a strengthening of the resolution which would be acceptable to the other signatories and, at the same time, satisfy the concerns of the groups that appeared before the select committee. It is because I believe a compromise is possible and it is because I believe the compromise I suggest will allow all members

to vote for the resolution that I will make this motion.

The Deputy Speaker: Mr. Brandt moves that the resolution, government notice of motion 6, be amended by adding after the words "with the schedule hereto" the following thereto: "and further that

"(1) the Legislative Assembly of Ontario resolves that the government of Ontario refer the following question to the Supreme Court of Ontario:

"If the amendments to the Constitution of Canada sought in the Constitution Amendment, 1987, or any of them were enacted, would it affect the guaranteed nature of individual rights and freedoms or their limitations under the Canadian Charter of Rights and Freedoms and, if so, in what particular or particulars and in what respect?" and

"(2) The Legislative Assembly of Ontario resolves that the government of Ontario take the lead in urging the government of Canada and the other provincial governments to amend subsection 2(1) of the Constitution Act, 1867, as amended by the Constitution Amendment, 1987, by adding the following clauses thereto;

"(c) the recognition that aboriginal peoples constitute a distinctive and fundamental characteristic of Canada; and

"(d) the recognition of the multicultural nature of Canadian society and, in particular, respect for the many origins, creeds and cultures, as well as the differing regional identities that help shape Canadian society."

Mr. Brandt: When this amendment is voted upon, I hope every member in this House sees fit to support it, for I believe it will allow us to pass the resolution before us unanimously, thus sending a clear message where the government of Ontario stands. It will send a clear message, not only to those who appeared before the committee and voiced their concerns about the impact of this accord, but it will also send a clear message to those provincial leaders who have expressed reservations about supporting this constitutional amendment. Perhaps it will even convince them to reassess their position.

Let me close by complimenting all those in our own Legislature, all those members who worked so hard on this resolution in committee and elsewhere, and let me pass on, if I may, my compliments to the groups and individuals who took the time to appear before the committee. Whether they spoke in favour or against the accord, it is my firm belief that they spoke from a great love of our country, Canada.

It is from that same feeling that later today I will probably stand and say yes to those who drafted this document at Meech Lake and I will say yes to this resolution. I will stand and with pride say yes as well to our sister province of Quebec. By doing so, I will be saying yes, I believe, on behalf of my party, to a better Canada.

The Deputy Speaker: The Leader of the Opposition. The debate is now on the proposed amendment.

Mr. B. Rae: I will be speaking to the resolution. I appreciate the chance to participate in the debate. Obviously, this comes after some considerable length of time and extensive participation by a great many people. I think I have spoken twice at some considerable length on this question in the House, both in the previous Legislature and in this one. I would like to try to summarize, if I may, the arguments I have made over the months and speak as well to the question of those who are taking a different point of view, not only today but indeed speak to those two premiers and those two provinces—perhaps I should say more precisely those two provinces—that have expressed a different point of view and continue to resist the enticements of Meech Lake.

As I have mentioned on other occasions, we have to see this debate in some perspective and in some sense of our history. It is worth recalling that it was not until 1980 or 1981 that Canada was able to amend its own Constitution. It was not until that act of patriation which took place after such an extraordinary length of time, the change by which not only did we introduce our Charter of Rights and Freedoms as a fundamental feature of the Constitution but also a change by which we took on the capacity to amend our own Constitution. This patriation did not take place until 1982.

That patriation took place with a price. The price that was expressed most clearly and most definitely on the day on which it was announced that an agreement had been reached among the several premiers and the Prime Minister was the fact that the Premier of Quebec was not at the final signing ceremony and Quebec was not involved or participating in this act of patriation.

I mention that by way of preamble, not only to describe the constitutional uniqueness of Canada and that our Constitution is a national preoccupation in a way that is not true of most countries that are 120 or 130 years old, but I also mention it to make one point, and I do want to come back to this point.

It seems to me that, in good measure, the division between those of us who are in favour of Meech Lake, on balance with reservations, however we may have them, but those of us who, on balance, feel it is important for us to move ahead, and those who are opposed is how we conceive of this particular round of constitutional discussions. Do we see it as the Quebec round or, rather, do we see it as part of a continuing process in which everyone must be involved and in which a package of reforms must be made acceptable to a broader group simply than, if you like, the government of Quebec, in order to include Quebec in the future round of constitutional discussions?

I must say that as much as I would like it to be more than the Quebec round, I think we have to say that the essential purpose of the Meech Lake accord, the reason the premiers were meeting as they were meeting, the purpose of all the discussion that took place at the ministerial level and the so-called expert level and between attorneys general and others, was to devise a formula that would include Quebec as a voluntary and willing partner in Confederation. It is because—I must confess after much reflection—I too have that view of what this constitutional round is all about that I am persuaded that, on balance, the Meech Lake accord is a document which should be supported by members of this House and by members of my party.

The accord basically does two things in achieving this voluntary participation of Quebec. The first is to establish, by way of preamble, the principle that Quebec is a distinct society—and I will come back to that in a moment—and the second is, in a sense, by giving not only to Quebec but to all the other provinces certain clear recognition of their powers and by establishing a clear definition of the spending power of the federal government, in a sense, to allow all the provinces to participate in a renewed and more co-operative federalism than the federalism that we have seen.

Monsieur le Président, l'accord parle directement de la reconnaissance d'une société qui est distincte. Alors, en parlant d'un Québec qui est différent, en parlant d'un Québec qui est distinct, nous parlons, je crois, d'une réalité de notre vie, une réalité de notre temps. Je suis certain que je parle au nom de tout mon caucus, même ceux qui ne sont pas en faveur de l'accord, en disant que nous acceptons tous la notion que le Québec est une société distincte dans notre confédération.

The "distinct society" clause is also the one which has given rise to the special agreements between Canada and Quebec with respect to immigration, though I might add that those are not new provisions in our national life. In fact, Quebec and Canada have had a special arrangement with respect to immigration for many, many years.

The second feature is perhaps the one that has caused the most difficulty, as well as the question of what has been left out—and I want to come to that in a moment—and that is to recognize that the provinces generally have more powers with respect to appointments to the Senate, with respect to appointments to the Supreme Court, with respect to the creation of new provinces and with respect to this question of reasonable compensation in cost-shared programs which clearly fall within provincial jurisdiction.

I suggest to the House that this is really the price of Confederation. I know there are those who are very strongly opposed, and I suppose nobody has expressed that opposition more clearly than Mr. Trudeau, both to the notion of Quebec as a distinct society being part of the Constitution and to this notion of giving to provinces greater authority within Confederation. But I must say, and I speak as one whose views have evolved, not to say changed, over a matter of a number of years, that I do believe one of the features of our Confederation has to be a recognition of the nation-building role of provinces and of their rights within Confederation.

If we are to recognize the reality of this country, as opposed to perhaps many other federal states, we are a federal country which does recognize certain powers with respect to the provinces, and yet we are a federal state, a federal jurisdiction which has not been able to evolve effectively and has not been able to reform its own Constitution.

I think there are some features of Meech Lake with respect to the creation of new provinces which are unnecessarily restrictive and harsh, but I must say, on balance, it is a price that must be paid when we come to look at the benefits of achieving a compromise which has now produced the willing participation of Quebec in this process of constitutional reform.

When it comes to the definition of the spending power and the notion of reasonable compensation for provinces which decide to opt out of federal programs, provided they have programs which are compatible with national objectives, I must say I do not see this in any way, shape or form as anything less than the

necessary price, the necessary feature of our Confederation.

It would be, in my view, impossible for the federal government to intervene unilaterally in a field of provincial jurisdiction and simply impose a program by means of its spending power without some such understanding and some such clause. If I may say so, I think that is a view that, on balance, even Mr. Trudeau would share since, while he was Prime Minister, for the entire time he was Prime Minister, he never imposed a national program in an area of provincial jurisdiction without the willing participation of the provinces. Not once would he do it, and it is inconceivable in our modern Confederation that it would happen.

I want to reply, if I may, or try to provide an answer to some of those who have said: "This shouldn't be seen as the Quebec round. There are too many people who are left out and who need to be included." I share the view, as I expressed at our convention on Saturday, that it is nothing less than a national shame that our federal Constitution does not yet recognize the particular relationship we have with the native people of this country.

I say it is a national shame that we do not yet have a Constitution which recognizes the distinct rights of our aboriginal people, their rights to self-government. Our working out as a nation our relationship with our native people is at the very top, in my judgement, of our unfinished business as a nation, but I must also say I do not think it would be fair to suggest that anything in this document takes away from that objective and goal. I am also enough of a realist to know these discussions have been ongoing for some time and have not produced a useful or possible result yet. I, for one, hope very much that the inclusion of Quebec at the table will make this more possible than it has been up until now.

I do want to emphasize that nothing in this document either adds to or takes away from that process. I quite understand those members who say, "But we have not yet dealt with this question and until we do we should not be passing constitutional amendments." I feel it is a counsel of perfection and not one which in these circumstances I can follow. I would not recommend it to my colleagues, but it is a position I can respect.

The second criticism refers to the multicultural character of our country and the fact that this multicultural character is insufficiently recognized in the document. My answer to that would again be that surely Quebec's participation in

finding the way to express that is essential if we are to express that as a nation in a revised Constitution. It is not something which we can, in a sense, impose without Quebec being fully involved and fully participating.

I speak as one who feels very strongly that the multicultural and multiracial character of our country should be expressed in the Constitution, but I feel the best way for that to be achieved is for us to have the willing participation of the government of Quebec here. Then that will be not easy but, I suggest, more possible.

Finally, I want to deal with the tricky question of the relation between this document and the Charter of Rights and Freedoms. I do not pretend to have a definitive answer to that question, but I do want to make this one suggestion. I am now persuaded that one of the benefits, frankly, of the last round of constitutional reform, which took place in 1981-82, is that we did bring in the "notwithstanding" clause. I know there are those in my own party who might not agree, but since this is a full chance for us to express our opinions, I am going to express them. I am not one of those who believes that we should be getting rid of the "notwithstanding" clause.

Courts can make mistakes. Courts come up with some pretty daffy judgements from time to time in their interpretations of the law and in their interpretations of the charter. I am not prepared to cede all my rights as a legislator or as a citizen to seven or nine judges of the Supreme Court of Canada or the Court of Appeal of Ontario. I am not prepared to do that, to sign that off for all time. To those who with some enthusiasm say, "The charter must be supreme in all circumstances," I say, "Let's keep our heads about us as we discuss this."

Yes, we want a charter that is entrenched and we want a charter that expresses our fundamental values as a people, but surely we want the interpretation of that charter to be a dialectic between legislators and courts and not frozen for all time by the interpretation of 65- and 70-year-old male, white judges. I say that with the greatest of respect to my friends on the bench.

Because the press has already asked me, and I want to say publicly, how I feel about the fact that there are members in my caucus who feel differently than I do, I can say only that compared to the last round of constitutional discussions I went to in 1981-82, this is a piece of cake and I have no problem at all with members taking whatever position they want with respect to this, as long as it is done, as I know it has been, with respect to the members who have spoken

and the members who feel strongly, on the basis of what I think is a very principled position.

This is not the perfect document. It is not all there. There are changes that could be made. There are improvements that could be made. If we were to sit down and write our Constitution, we would make a better one. If I may say so, there are those who said the process has been crummy. I think we all agree the process has been crummy. What we need to do is improve the process. But what I want to turn my attention to, as I speak to a few more members who are now here, is to ask them, with the greatest of respect, to reflect for a moment on the consequences of our defeating Meech Lake.

We know Manitoba and New Brunswick are in their own particular frame of mind. The Premier of New Brunswick has his own particular agenda with respect to the "distinct society" clause and a number of other issues. Manitoba's political situation is, shall I say, in some degree of flux. It is a little bit difficult to know precisely what the combined wisdom of the Legislature of Manitoba would be on the question of Meech Lake.

1530

I want to suggest to those people in all sincerity—and perhaps I am addressing my remarks more to them than I am to this group as it is obvious that this group here will be supporting Meech Lake—that I think it would be a tragedy for this country if we were to have to go back to square one with respect to the process of constitutional reform.

There is one thing which has persuaded me more than any other thing, than any of the technicalities of the accord. To those who would ask, I would say, "Yes, I have read it, very carefully, several times, every word." But I ask those who would say, "It doesn't have this or it doesn't have that," to think clearly and carefully about public opinion in Quebec and I ask them to come back to where we started in the beginning.

If we lose the perspective that this is the Quebec round, of course we will find areas to differ about and to fault. If we lose the perspective that the process of nation-building we are now engaged in has now to include Quebec as never before, then of course we will find the things which should be there.

Many of my constituents have said: "Well, there's nothing in it for us. There's nothing in it for me." I have two things to say to that. "Yes, there is, because including Quebec is good for all of Canada. It's good for Canada. It's good for all of us to have Quebec as part of the Constitution."

My second point would be this. The process of future reform can only take place with the voluntary participation of Quebec. Senate reform is unimaginable without the participation of Quebec. The recognition of multiculturalism is unimaginable without the participation of Quebec. The recognition of aboriginal rights, again I say with great respect, is unimaginable without the participation of Quebec.

And so we come back to this question, as unpalatable and difficult as it may be to some. Canada is not Toronto writ large. Canada is not Ontario writ large. When people say, "What's in it for me?" they should be thinking in broader terms. We have to look to this question of what the opinion in Quebec is, what the view of the Quebec government is, what the will of the government of the people of Quebec is as expressed not only in a referendum but also in terms of what its governments have expressed. I say it is very obvious. This is the best possible accord which could have been reached in the circumstances. That does not make it perfect but it does make it worth supporting.

En conclusion, Monsieur le Président, nous voulons dire que oui, c'est vrai, c'est le tour du Québec, c'est le round du Québec; c'est pour ça que nous sommes ici, c'est pour ça que nous discutons de la question du lac Meech. À ceux qui disent: «Nous voulons quelque chose d'autre, les autres questions ne sont pas mentionnées», je veux dire tout franchement qu'il faut que nous, comme société, reconnaissons nos relations comme pays avec la province de Québec, les relations des Québécois avec les Canadiens, les relations des Canadiens entre eux, avant que nous ne continuions avec des changements. Il faut faire le premier pas.

We must take the first step. If we wait to take all our steps before taking the first step, we will wait one hell of a long time and let's not pretend otherwise. Let's not forget that we waited 115 years for the patriation of our own Constitution. We had round after round, meeting after meeting. It was not, I say with great respect, an easy process. We have come now to a process of patriation without Quebec. This is the time to patriate with Quebec and then we can begin to create a constitutional future.

That is what the report has done, I think, so fairly and I congratulate my colleagues the member for Oshawa (Mr. Breagh) and the member for Hamilton West (Mr. Allen) who participated so actively in the committee. Then together we can dream the dreams and make them practical. We can begin the process of

opening up the participation of those from across the country who need to be involved in constitutional reform.

But I say, with the greatest of respect, we can only do it effectively once we have taken the first step, and that first step is the Meech Lake accord.

Hon. Mr. Peterson: I must say I found my colleagues opposite very persuasive today and I must say I think an occasion like this is one that glorifies this institution. In talking to my colleague on the right, I found he participated in discussions not dissimilar in their import in 1967. I remember the great debates in the last round of constitutional reform here in this House.

There is a special spirit about these debates when members reach beyond the traditional partisan lines, when we all apply our minds, our souls, our emotion and our values to a debate of national consequence. I want to say to all my colleagues in the House today that I am enormously grateful for the contributions they have made. They have wrestled with this issue for the last year in this House, and many of us have prior to that.

I think it is one of the greater aspects of this Confederation—the way our system works. We have all had our say. There are different points of view. Accommodations have been made. But at the base of it all, there has been a reaching out of all members to try to understand not just their colleagues in this House but their colleagues across the country. For that I am, as the first minister, enormously grateful.

I think it is noteworthy as well that we are concluding this debate in the Ontario Legislature virtually on the eve of Canada Day in our nation. Today we have an opportunity to participate in that debate and in shaping our political future.

We will be celebrating in a couple of days the wisdom, the determination and indeed the courage of our political forbears who in 1867 cast their regional and cultural differences aside and joined in political union. One hundred and twenty-one years ago a generation of Canadians had come to realize that the union of two provinces was insufficient for the coming challenge. They recognized the strength they needed for their tomorrow could only be achieved through a more comprehensive unity, a unity that would respect diversity. A unity of purpose gave life to our Confederation.

Today we pursue the national enterprise they began. Today the Legislative Assembly of Ontario speaks with its voice upon the Meech Lake accord of 1987. As all members know, the

accord seeks to refine the legal instrument of that union, our Constitution.

We are not the first to amend the Constitution, nor shall we be the last. Our history is replete with imperial conferences, British parliamentary enactments, federal-provincial conferences, first ministers' conferences and Canadian parliamentary enactments, all of which have resulted in changes to the Constitution.

Each generation has recognized that for the Constitution to endure it must adapt to its environment. Each generation has refined the vision of Canada. The Constitution in many ways is the refiner's tool. Like refiners, we are not changing the object of our preoccupation, but we are smoothing its edges and polishing its texture.

The Constitution is, of course, a legal document, but it stands to mean far more. The Constitution is the backbone of our nation, its sustaining moral fibre. It must reflect who we are. It must be strong enough to withstand the greatest national stress and it must be flexible and supple enough to allow the normal exchange of reasonable individual, collective and regional political expressions. Amending it, therefore, in this generation to comply with our vision of this great country is a precious task and one we approach with care and with an appropriate sense of historical significance.

1540

Constitutional reform is a vital means by which Canadians have achieved national unity and national unity has been the passionate pursuit of generations of Canadians.

Some of us have been members of this assembly for many, many years, and some, it seems, for generations. Others have been members for only a few months, but all of us, I believe, share this occasion as a momentous one and as an important one. As this Legislature addresses the specific text of the 1987 constitutional accord, it will also be participating in a vibrant process of constitutional change and nation-building.

Perhaps the most important aspect of this debate is the fact that it is not about the end of constitutional reform in Canada, but about a new beginning. These amendments reconcile Quebec's long-standing concerns with those of Canada, while protecting the interests of all Canadians and furthering the process of constitutional reform and of nation-building. To that noble enterprise, I am sure I speak for all members of the Legislature when I say that their support will be unreserved, unqualified and whole-hearted.

Mr. Speaker and colleagues, as a country we are in historical terms still young and still on the road to nationhood. While our constitutional achievements have not been modest in building a modern, humane nation from sea to sea, they have been dogged by the inability to express an appropriate place for Quebec within Canada. The Meech Lake accord finally captures that expression, and I believe the Meech Lake accord is the first sign of a newer, bolder signature for Canada.

L'avenir du Québec au sein du Canada, de la même façon que l'avenir du Canada, ne pourrait être garanti sans la présence enthousiaste du Québec. L'accord du lac Meech nous assure cet avenir.

The Meech Lake amendments ensure not only Quebec's place in Confederation but also the place of all Canadian people. These amendments reflect our recognition that Canada is still a nation based on compromise and consensus where no province and no region can dominate, and at the same time, no province or region can be ignored.

Our national purpose and wellbeing will meet with new and future challenges. New challenges might arise in our economy as natural forces work against us, as drought and international trends like market protectionism exert themselves. These may in the future challenge our national unity. Different regions may experience varying degrees of vulnerability, but people from all regions will be comforted by the assurance that their voices will be heard. The Meech Lake accord makes real that assurance.

It promotes national understanding and reconciliation. It provides a path of discussion no government can arbitrarily ignore. As the select committee so aptly pointed out, "...throughout the country's history those who have developed its constitutional arrangements have paid particular attention to balancing a proper concern for the whole country with an appropriate recognition of its many diverse regions and residents." I believe the passage of these amendments will reaffirm our ability to strike a balance between those contending interests.

Let us for a moment examine the accord itself. I will not indulge in a legal analysis or an interpretation of the language. That has been discussed by many members. It was done comprehensively and, I say with some pride, I think the definitive document on Meech Lake was done by the Attorney General (Mr. Scott). It has been quoted across this country and I think

will go into the legal history of this country as a very significant piece of work.

Mr. B. Rae: Make that man a judge.

Hon. Mr. Peterson: No, we are not going to make him a judge, we are going to keep him here for a while. The Leader of the Opposition just spoke rather harshly about judges, and he would not want to unleash him there.

My intention is more to reflect on the results of the accord as I see it.

All governments in this country accepted the legitimacy of Quebec's concerns. In the process of negotiations last year and in the spirit of mutual understanding, it became apparent to the first ministers that something unprecedented was happening. An amendment took shape covering seven broad areas that responded to Quebec's aspirations, but also to a number of other national and regional concerns. All the first ministers agreed to the reforms because every aspect of the accord reflects a balance and accommodation between contending regional identities and values.

Let me speak briefly to the achievements of the accord in striking that balance and arriving at this accommodation.

The new provisions for affirming Quebec's distinct society are cast in the context of other fundamental features of Canada. It includes aboriginal and multicultural communities. It acknowledges the presence of English-speaking Canadians in Quebec and French-speaking Canadians outside Quebec.

À la suite de la proclamation de ces amendements, la constitution reconnaîtra pour la première fois la présence des francophones hors Québec et obligera tous les gouvernements à les protéger.

The charter and other provisions of the Constitution are unimpaired. No provision of the accord diminishes the rights of anyone anywhere in this country.

Appointments to the Senate and the Supreme Court will now reflect the interests of the provinces as well.

Constitutional amendments remain predominantly a product of consensus among seven provinces with 50 per cent of the population, but changes only to its vital national institutions will require agreement among all the governments. An expanded role for the province in matters of immigration policy must still be acceptable to the Parliament's national standards. A constitutionally recognized right of Parliament to spend in exclusive provincial jurisdiction must nevertheless receive provincial approval.

It also enshrines two types of first ministers' conferences, one dealing with the economy and the other dealing with constitutional matters. There will now be an active duty on first ministers to meet, to talk, to hear each other out and to seek, where necessary, equitable accommodation.

As the select committee pointed out, "Constitution-making and constitutional changes are not...done in a vacuum, but at precise points in a country's history."

Les Canadiens s'aquittent de la promesse qu'ils ont faite aux Québécois pendant la campagne référendaire. Les années 80 s'amorçaient lorsque les Québécois ont dit oui au Canada. Avant qu'elles ne se terminent, le Canada se doit de dire oui au Québec. Il ne faut pas rater cette chance de rapatrier le Québec dans la famille constitutionnelle canadienne.

Without Meech Lake, Canada lives as a family without one of its beloved offspring. It functions, but in a diminished way.

I believe that the meeting of first ministers at Meech Lake last April was the opportunity we had been waiting for since the patriation of the Canadian Constitution in 1982. Canada had several new governments, including a federalist government in Quebec, and there was still momentum for the provincial vote in which the people of Quebec said yes to unity. It was given a boost at the premiers' conference in 1986 when all the provinces then stood up and said, "Now is the time."

A great many new hopes have been raised. Now this Legislature is being asked to validate these hopes. The stage has been set, the moment has arrived, and I believe we cannot, as Canadians, let it pass.

1550

Because, if we were to postpone a resolution of these issues, we would also be postponing the resolution of many other issues which have been raised and which must be addressed, such as the rights of aboriginal people, the north and many concerns unique to western Canada. The implications of these proposals for the provinces and for the country cannot be understated. The accord effectively ushers into our constitutional life a new, more meaningful, exciting partnership between the federal government and the provinces. By enshrining both the substantive and procedural obligations into the Constitution, the accord assures that no province is to become the object of neglect.

The accord meets the national political needs of the hour, but it does much more than that. It

reaches for the hopes of all Canadians, hopes for a pluralistic society, tolerant and respectful of all cultural backgrounds, zealously protective of the rights of the individual and committed to equality of opportunity for all.

As I have stated, the Meech Lake accord fulfils Canada's post-referendum pledge to Quebec and resolves many more problems at the same time, but I say to members, the reform will not stop here. There are new issues of national relevance to be discussed. They were raised in testimony before the select committee and they were talked about today and yesterday in this Legislature and they must be addressed in future constitutional discussions. Following the course as proposed by the select committee, Ontario is prepared to make its contribution.

Let me, if I may, acknowledge how helpful the work of the select committee has been. It was asked to examine the accord in its broad context, and I want, on this opportunity, to pay acknowledgement to the chairman, the good humoured and thoughtful member for York North (Mr. Beer), and his committee of thoughtful members of this House who listened to the testimony of over 150 individuals and groups. The presentations in turn have been impressive, they have been balanced and they have been forceful.

The committee has also reviewed the written testimony from an additional 100 citizens and associations. The accord was wrestled with in a nonpartisan way. It has been debated carefully and it has been thoughtfully judged upon. I am pleased, I must say, to see a unanimous report. It concluded that "Meech achieves a balance between long-sought, yet appropriately limited, constitutional adjustments... and we think the fundamental federal character of Canada is thereby strengthened. Meech has met Quebec and in no way damaged Canada. This, in our view, is a remarkable accomplishment."

The committee makes a strong call for a more regularized, open, consultative process for constitutional reform. I agree with the thrust of that suggestion. I am prepared to state that the government agrees that a full expression of Canada's fundamental characteristics should be given in the Constitution. Accordingly, Ontario will place this matter before the first ministers at their next formal discussion of constitutional reform.

In keeping with our intention to improve public awareness and participation in the reform process, I would propose to this House several immediate initiatives:

1. The Legislature will be asked to constitute a standing committee to propose and comment on a constitutional reform agenda before the first ministers.

2. To promote a better understanding of the Constitution in our common life, the government will propose and support a public nongovernmental conference on the process of constitutional reform and the priorities Ontario and all Canadian government should pursue.

3. To keep the issue of federalism before this Legislature and on a regular basis, the government will institute an annual state of the federation debate on a new annual report of the Ministry of Intergovernmental Affairs.

I believe that the moral imperative of this hour requires us to approve the Meech Lake accord. Five years ago, Margaret Laurence delivered a lecture to a student audience at Trent University in which she urged, "Try to feel in your heart's core the reality of others." Is that not the impulse that animates constitutional reform? It is the many realities of the many others who, in their diverse regions and their diverse cultures, confidently inhabit this vast life-giving land. We have to accommodate them all in this Constitution. The historical brilliance of our nation has been its capacity to regenerate itself through honourable agreement and to constantly find accommodation.

The name "Canada" is a Huron Iroquois word meaning village or settlement. What is a settlement, if not a place where people choose to live together, a place where people unite for the common good, protecting one another and taking responsibility for one another, a place of security, a place of acceptance and belonging, a home? Such a place, such a home is our country. Our Constitution, now that the Meech Lake accord is part of it, must become the national deed which makes our country worthy of the title.

We have much work left to do. We have to work on an agreement with the aboriginal people, and on Senate reform, procedural reform. As our forefathers courageously undertook to respond to the reality of their day 121 years ago, and formed a greater Canada, we too must approach the task of reuniting our constitutional family today with equal vigour.

May I add, in conclusion, a personal note. It is an issue that I have been intimately involved with personally for the last two years and, in many respects, three years. We all do many things in our own lives that mean more to us than other things. As someone who considers himself most

fortunate to be the first minister of this province, I would say to members that we were fortunate to be in a position to make a contribution to building a stronger Canada. I relied on many people in doing that, among them the Attorney General, who assembled, I think, one of the finest constitutional teams ever assembled in this country when we went to the long series of meetings, including the two fundamental ones, first at Meech and then at Langevin.

It was no secret what happened at Meech and at Langevin. At Meech, Ontario played a very distinct role in persuading other provinces to make that philosophical leap to accepting the concept of a distinct society. I believe it was the correct judgement in the circumstances, just as it is no secret that at Langevin we had some very difficult discussions, and I can say that relationships with a number of people were strained for a little while on the wording that went into the final agreement. But I think we were well advised as we went along the way. We applied a great deal of effort to trying to build a stronger Canada and making sure we fully understood all the ramifications of what we were involved in.

Now we are on the final road, at least for this province, if not for the country. Like others, I cannot predict what will happen in New Brunswick or Manitoba. I am hopeful that the thoughtful deliberations that went on in the committee and in this House may be of some help, solace, if you will, to our colleagues in other provinces, who are wrestling honestly with the issues, as members of this House have done. I recognize this has not been an easy issue for many members on all sides of the House.

There were reactions from many different points of view to many of the individual aspects of the Meech Lake accord. I have some understanding of that because no one can say with certainty how the Supreme Court will interpret this document 20 years from now any more than we can say now how the Supreme Court will interpret the Charter of Rights that came only in 1982.

1600

To that extent, perhaps it is an act of faith. But it is, in my view, an act of faith in our country and it is a leap of faith that we have to take. I believe that is the signal coming forward from this Legislature after thoughtful analysis over the last year after debate and input and lots of discussion and lots of disagreement. But the voice going forward from this Legislature when we have put partisanship aside and we say to our colleagues in Quebec, "Ontario speaks with one voice in

bringing Quebec fully into the constitutional family," would be the strongest signal that we could send as Ontarians who care about our brothers and sisters in Quebec.

We could have put this resolution into the House a year ago and we may not have had the support of the members opposite. We know that we had the numbers to put that through the House, but we did not want to do that. This is an issue that is bigger and better than any individual government or any individual political party.

This is one of those issues that I believe transcends the typical kind of debate in this House. So I want to again, in conclusion, thank my colleagues opposite for their great contribution in this debate. It has not been easy for any of us in many respects. Many people in my party disagree with the view that I have taken in this matter and this, I am sure, applies to my colleagues opposite. But I believe, if I may pay them a compliment, that they have shown leadership on behalf of their country and for that I congratulate them.

For Ontario's part, and I say this with humility that I stand as the 20th Premier of this province in a long line of people who have made their contribution to this country, it seems to me that one of the most important responsibilities we have is to try to use whatever influence we have in Confederation to build a stronger country regardless of the stresses and strains along the way. It is not to mean for a minute that we will agree every day on every issue, because we will not, but we have to use our strength in a positive and generous way.

So again in our own way, there is a lot of my own personal blood in this document. Obviously I am not, shall we say, objective in this debate and I do not pretend to be, but I also believe that the Ontario Legislature has distinguished itself in this debate and in this deliberation. I thank all members and hope we can send a unanimous signal across this country about the importance of what we are doing today.

Mr. Speaker: Hon. Mr. Peterson has moved Government Notice of Motion Number 6. Mr. Brandt has moved an amendment to Government Notice of Motion Number 6. We will first deal with Mr. Brandt's amendment.

Hon. Mr. Conway: Mr. Speaker, if I might approach my colleagues, we had an earlier understanding that we would take the divisions this afternoon. We would first vote on the matter of the adoption of the report of the select committee on constitutional reform. We had agreed earlier in the day to take that vote at four,

and if it is agreeable with the House, I would suggest we take the divisions on, first, Mr. Brandt's amendment and then the main motion, government notice of motion 6.

Mr. Speaker: If there is agreement from the House.

Agreed to.

REPORT,
SELECT COMMITTEE ON
CONSTITUTIONAL REFORM

RAPPORT,
COMITÉ SPÉCIAL DE LA
RÉFORME CONSTITUTIONNELLE

Mr. Speaker: Will all members take their seats? All those in favour of Mr. Beer's motion will please rise.

[Interruption]

Mr. Speaker: Order. I have to ask the people in the gallery to refrain from demonstrating.

1617

The House divided on Mr. Beer's motion for adoption of the recommendations contained in the report on the Constitution Amendment, 1987, which was agreed to on the following vote:

La motion de M. Beer pour l'adoption des recommandations contenues dans le rapport de la Modification constitutionnelle de 1987 du Comité spécial de la réforme constitutionnelle, mise aux voix, est adoptée:

Ayes/Pour

Adams, Allen, Ballinger, Beer, Black, Bossy, Bradley, Brandt, Breagh, Brown, Callahan, Campbell, Caplan, Carrothers, Charlton, Chiarelli, Cleary, Collins, Conway, Cooke, D. R., Cooke, D. S., Cordiano, Cunningham, Cureatz, Curling, Daigeler, Dietsch, Eakins, Elliot, Elston, Epp, Eves, Faubert, Fawcett, Ferraro, Fleet, Fontaine, Fulton, Furlong, Grandmaître, Grier, Hampton, Harris, Hart, Johnson, J. M., Kanter, Kerrio, Keyes, Kozyra, Kwinter, LeBourdais, Lipsett, Lupusella, MacDonald, Mackenzie, Mahoney, Mancini;

Martel, Matrondola, McCague, McClelland, McGuigan, McGuinty, McLeod, Miclash, Miller, Morin, Neumann, Nicholas, Nixon, J. B., Nixon, R. F., Offer, O'Neil, H., O'Neill, Y., Oddie Munro, Owen, Patten, Pelissero, Peterson, Philip, E., Phillips, G., Poirier, Pollock, Polsinelli, Poole, Pope, Pouliot, Rae, B., Ramsay, Ray, M. C., Reycraft, Riddell, Roberts, Ruprecht, Scott, Smith, D. W., Smith, E. J., Sola, Sorbara, South, Stoner, Sullivan,

Swart, Sweeney, Tatham, Velshi, Villeneuve, Ward, Wilson, Wiseman, Wong, Wrye.

Nays/Contre

Cousens, Farnan, Jackson, Johnston, R. F., Laughren, McLean, Runciman, Sterling.

Ayes/pour 112; nays/contre 8.

1987 CONSTITUTIONAL ACCORD

ACCORD CONSTITUTIONNEL DE 1987

1625

The House divided on Mr. Brandt's motion to amend resolution 6, which was negatived on the following vote:

Ayes

Allen, Brandt, Breagh, Charlton, Cooke, D. S., Cousens, Cunningham, Cureatz, Eves, Grier, Hampton, Harris, Jackson, Johnson, J. M., Mackenzie, Martel, McCague, McLean, Philip, E., Pollock, Pope, Pouliot, Rae, B., Runciman, Sterling, Swart, Villeneuve, Wiseman.

Nays

Adams, Ballinger, Beer, Black, Bossy, Bradley, Brown, Callahan, Campbell, Caplan, Carrothers, Chiarelli, Cleary, Collins, Conway, Cooke, D. R., Cordiano, Curling, Daigeler, Dietsch, Eakins, Elliot, Elston, Epp, Farnan, Faubert, Fawcett, Ferraro, Fleet, Fontaine, Fulton, Furlong, Grandmaître, Hart, Johnston, R. F., Kanter, Kerrio, Keyes, Kozyra, Kwinter, Laughren, LeBourdais, Lipsett, Lupusella;

MacDonald, Mahoney, Mancini, Matrondola, McClelland, McGuigan, McGuinty, McLeod, Miclash, Miller, Morin, Neumann, Nicholas, Nixon, J. B., Nixon, R. F., Offer, O'Neil, H., O'Neill, Y., Oddie Munro, Owen, Patten, Pelissero, Peterson, Phillips, G., Poirier, Polsinelli, Poole, Ramsay, Ray, M. C., Reycraft, Riddell, Roberts, Ruprecht, Scott, Smith, D. W., Smith, E. J., Sola, Sorbara, South, Stoner, Sullivan, Sweeney, Tatham, Velshi, Ward, Wilson, Wong, Wrye.

Ayes 28; nays 92.

1630

The House divided on Hon. Mr. Peterson's resolution, which was agreed to on the following vote:

La résolution de l'hon. M. Peterson, mise aux voix, est adoptée:

Ayes/Pour

Adams, Allen, Ballinger, Beer, Black, Bossy, Bradley, Brandt, Breagh, Brown, Callahan,

Campbell, Caplan, Carrothers, Charlton, Chiarelli, Cleary, Collins, Conway, Cooke, D. R., Cooke, D. S., Cordiano, Cousens, Cunningham, Cureatz, Curling, Daigeler, Dietsch, Eakins, Elliot, Elston, Epp, Faubert, Fawcett, Ferraro, Fleet, Fontaine, Fulton, Furlong;

Grandmaître, Grier, Hampton, Harris, Hart, Johnson, J.M., Kanter, Kerrio, Keyes, Kozyra, Kwinter, LeBourdais, Lipsett, Lupusella, MacDonald, Mackenzie, Mahoney, Mancini, Martel, Matrundola, McCague, McClelland, McGuigan, McGuinty, McLeod, Miclash, Miller, Morin, Neumann, Nicholas, Nixon, J. B., Nixon, R. F., Offer, O'Neil, H., O'Neill, Y.;

Oddie Munro, Owen, Patten, Pelissero, Peterson, Philip, E., Phillips, G., Poirier, Polsinelli, Poole, Pope, Pouliot, Rae, B., Ramsay, Ray, M. C., Reyecraft, Riddell, Roberts, Runciman, Ruprecht, Scott, Smith, D. W., Smith, E. J., Sola, Sorbara, South, Stoner, Sullivan, Swart, Sweeney, Tatham, Velshi, Villeneuve, Ward, Wilson, Wiseman, Wong, Wrye.

Nays/Contre

Eves, Farnan, Jackson, Johnston, R. F., Laughren, McLean, Pollock, Sterling.

Ayes/pour 112; nays/contre 8.

Hon. Mr. Conway: With consent, and again there has been discussion among the House leaders, I would now call government notice of motion 14 standing in my name.

CONFLICT OF INTEREST COMMISSIONER

Hon. Mr. Conway moved government notice of motion 14:

Resolution: That an humble address be presented to the Lieutenant Governor in Council as follows:

To the Lieutenant Governor in Council:

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of the province of Ontario, now assembled, request the appointment of the Honourable Gregory Evans, former Chief Justice of the High Court of Ontario, as Conflict of Interest Commissioner for a term of five years, commencing on a date to be named by the Lieutenant Governor in Council, as provided in section 10 of the Members' Conflict of Interest Act, 1988, S.O. 1988, c. 17; and, that this address be engrossed and presented to the Lieutenant Governor in Council by the Speaker.

Hon. Mr. Conway: Very briefly, government notice of motion 14 standing in my name is a call for this House to have appointed, by resolution, His Honour Gregory Evans, the former Chief Justice of the High Court of Ontario, as our

Conflict of Interest Commissioner. I would heartily recommend this appointment to all members of the assembly. I certainly know the Honourable Greg Evans and have no hesitation in recommending him as an outstanding citizen of this province to this very important task.

Mr. Speaker: I am having a little difficulty hearing what is taking place. Do any other members wish to participate in the debate?

Mr. B. Rae: I only wish to participate because I do want to say to the Attorney General, who is here, and to the House that I would be the last person in the world who would want on this last day, to make an issue of the appointment of former Chief Justice Evans to this position, but I do want to say to the House that when the Attorney General and I were having some discussions as to who should occupy this position, because it is supposed to be a consensual position in the House, I suggested to him that I did not have any particular names in mind but I thought it should be a younger person, that is to say, somebody who was not necessarily retired, and I thought it should be a woman.

The Attorney General's statement to me a couple of weeks ago was: "I have a name for you. It is Mr. Justice Gregory Evans." There was a time when the Attorney General would take what I had to say a little more seriously, but those days are obviously gone.

I do find it necessary to say that. Having said that, none of us is going to seek to challenge this appointment by way of voice vote or in any other way. I do question its length, five years, which I think is unnecessarily long in light of the need, it seems to me, for us to look at this position in a somewhat different light, but obviously Mr. Justice Evans is somebody who has served the province well and with great distinction. I am sure all of us look forward to opening our souls, our pocketbooks, our chequebooks, our bank statements and our lives in all their various mundane forms to this very distinguished jurist.

1640

Mr. Pope: I would like to reply on behalf of our leader, the member for Sarnia (Mr. Brandt), and the members of the Progressive Conservative Party and indicate we welcome the appointment of a Timmins native to the position, without passing comment on the background of the conflict-of-interest issue.

Gregory Evans, former Chief Justice of Ontario, is someone well respected among all those who came in contact with him through his legal career, both as a lawyer in northern Ontario and as a justice of the Supreme Court of Ontario

in various aspects of the operation of the Supreme Court of Ontario over a number of years.

Chief Justice Gregory Evans has a long and distinguished career, not only in law, but in civic duty and service to the people not only of the community of the city of Timmins and not only to the people of northeastern Ontario, but of the entire province. We think he will bring to this position a sense of realism and vast experience with respect not only to business, but also to law and politics. Therefore, we believe his appointment will serve not only the members of this Legislature, but the people of Ontario well.

Personally, and on behalf of our leader, the member for Sarnia, and the members of the Progressive Conservative caucus, we wish to express our admiration for his long and distinguished career of service to the people of Ontario. We wish him well and pledge our co-operation with him as he carries on the duties given to him by this Legislature.

Hon. Mr. Scott: I would like to thank the member for Cochrane South (Mr. Pope) for saying everything I would have said in support of this nomination. I want, however, just to add a word in respect to the comment made by the Leader of the Opposition (Mr. B. Rae). I think all of us agree that an important appointment such as this should, if at all possible, be achieved by consensus in the way the appointment of an ombudsman and other public servants of the assembly are appointed.

I made a number of suggestions to my colleagues across the way and it became apparent that consensus was not going to be possible in this instance. To the leader's credit, of course, he made some other suggestions which did not achieve consensus either.

In those circumstances, assuming the bill was going to be acted on and proclaimed, a choice had to be made. I am confident the choice is as good a one as could be made. Though another choice has just occurred to me, it is probably too late to implement it, but it seems to me that the member for Welland-Thorold (Mr. Swart), who tomorrow is going to be out of work, would be an excellent choice for the next conflict commissioner that we are going to have to appoint.

I do not want him to take on the job now because I want to tell honourable members, sort of privately, if one can do this in Hansard, that my automobile club is going to retain him to appear for us at the Ontario Automobile Insurance Board beginning next September.

Motion agreed to.

WINE CONTENT ACT

Hon. Mr. Wrye moved second reading of Bill 167, An Act to revise the Wine Content Act.

Hon. Mr. Wrye: If I may, before I get into my comments in opening debate on second reading of this bill, in anticipation of the first speech coming from my friend the member for Welland-Thorold, let me note that our friend and colleague, who officially concludes his distinguished career in this Legislature tomorrow is, none the less, here on the second-last afternoon, participating in and voting in the earlier historic occasion that we had and will be participating, as he always has through his 13 years in this House, in a very distinguished way in a debate which is very important to the people of his riding, his region and the province. I want, on a personal basis, to note his presence, great contribution and the good humour with which he has pursued his career through that time.

Anyone who has travelled through the area in which my friend lives and through the Niagara region knows our grape and wine industries are extremely important to that region and to Ontario. The new Wine Content Act I am bringing forward today for second reading is an important element in a revitalization plan we have put together for the grape and wine sector.

Specifically, it relates to our efforts as a province to develop products which can compete on the basis of quality, image and price with wines from all around the world. As world tastes have shifted, the labrusca grapes used in products which have traditionally appealed to Ontario palates have generally fallen out of favour; indeed, they have fallen out of favour quite quickly.

The new Wine Content Act will enable us to pass regulations being developed in conjunction with the grape and wine industries to improve the overall quality of wines produced in Ontario and, hence through that, our ability to compete. We want to make sure the industry receives as much support as possible during the transition. At the same time we are insisting that growers and vintners adjust to the changing realities of international pressures and of consumer taste.

Under the proposed regulations, Ontario wineries will be expected to purchase a minimum of 25,000 tons of Ontario grapes annually. Very important in that number is that at least 20,000 tons must be French hybrids or viniferas such as Seyval Blanc, Chardonnay and other varieties which will be specified in the regulations.

The Ontario Wine Council will be designated as the body to determine the quota of grapes which must be produced by a winery each year. Furthermore, there will be two categories of wines blended with imported products.

The first category refers to table wine containing imported grapes and wines but no labrusca grapes or derivatives. The total volume of wine from one ton of grapes will be limited to no more than 180 imperial gallons, in line with international standards. Let me just explain the importance of that. Compared with the 258 gallons of wine that can be produced from a ton of grapes under the current act which expires at the end of August, this would substantially cut down on the amount of sugar and water added to wine; that is known in the industry as stretch.

Under the second category will fall coolers, sherries, ports and other products, with no limit on wine yield from a ton of grapes and no restriction on the grape varieties which can be used. This will provide a category where wineries will have the flexibility to meet changing consumer taste.

Of course, there will be a classification, really a third classification, of table wines, those requiring the use of 100 per cent Ontario grapes. Because these do not entail the use of imported products, obviously, this classification does not appear and it will not come under the Wine Content Act.

In addition to these and other measures to produce world-quality wines, we are working with growers and vintners to improve the image and price of our products. To this end, we will be encouraging the industry more effectively to market its products and explore opportunities for exports, and we will be reviewing productivity measures to produce a more efficient, rationalized grape and wine sector, which should lead to competitive pricing in domestic and international markets.

Unlike previous wine content acts, which contain short sunset provisions, our new bill will remain in effect for 12 years, the time needed to realize these improvements in quality, image and price.

I would like to point out that our competitiveness strategy has been developed jointly by the Ministry of Consumer and Commercial Relations, the Ministry of Agriculture and Food and, perhaps most important, the Ontario Grape Growers' Marketing Board and the Wine Council of Ontario.

The Wine Content Act represents another step in our climb into the big leagues of international

wines, a journey which has already been made to a great extent by other jurisdictions such as California and Australia. With our farm land, our entrepreneurial talent and now with our competitiveness strategy, I am confident we can reach that height too and that in doing so we can compete with wines produced anywhere in the world.

1650

Mr. Swart: I suppose, after debating the Meech Lake accord, this bill that we have before us may seem rather insignificant, but I want to say, as I think most members know, we are talking, really, about the livelihood of at least 900 grape growers and their families and many others, workers in this industry, who are being affected and will be affected by this bill and the circumstances which exist in the grape and wine market inside and outside this nation.

I rise to speak on this on behalf of my party and to state my party's position on it, but in addition to that, I rise because I have, I suppose, something of a personal interest in this, with numbers of relatives and friends engaged in the grape industry as grape producers.

I guess it is true to say that no industry, perhaps with the exception of textiles, and I am not even sure of that, is in as great jeopardy today in this province as the grape and wine industry, particularly and almost exclusively, the grape growers.

Most of the wineries, if free trade goes through, can survive by bottling and so on. Some of them may even be more profitable. It really is the grape growers who are going to be sacrificed by free trade and, for that matter, by the General Agreement on Tariffs and Trade.

Given the federal government's stands on trade, there are no easy answers for the growers or, for that matter, for the government of this province on this matter. If it is international trade under GATT, the Mulroney government has consciously traded off the wine industry for the sale of other commodities such as softwoods and wheat.

Mr. Hampton: He didn't get a good deal there either.

Mr. Swart: No, he did not get a good deal there. Or if it is in Canada-United States free trade, he has deliberately traded off the wine industry again, but there he has traded it off for nothing. First the grape growers and then all Canadians will be left holding the proverbial bag on this Mulroney-Reagan free trade agreement. However, recognizing the difficult position of this province, we are convinced that Bill 167 is

not the answer. Let me point out some of the problems with it.

The bill in itself establishes no policy. It has no guts. I am not sure that is parliamentary, Mr. Speaker, but you were not listening, so I guess I will get away with it.

It has no body and, in fact, it has no voice. The bill really does not provide anything; it is all left to the regulations. If we look at clause 3(1)(a), I think it says it all.

"3(1) The Lieutenant Governor in Council may make regulations, (a) requiring that wineries purchase a quota of Ontario grapes each year; (b) prescribing how the quota will be determined and designating and authorizing a body to make that determination; (c) prescribing the varieties of Ontario grapes that must be purchased for purposes of the quota; (d) prescribing conditions under which wineries may use imported grapes or grape products in the manufacture of wine;"

That is the whole issue. There is no other dimension to that issue. That is the whole issue that is going to be left to the Lieutenant Governor in Council.

There is, of course, an agreement that the minister has referred to which was signed last fall—I believe it was in November—a statement of principles. It was signed by the four groups he mentioned, the marketing board, the Wine Council of Ontario and the ministries of Consumer and Commercial Relations, and Agriculture and Food. That could give some policy to the bill, but it is no part of this bill.

What bothers me even more is it is a relatively secret agreement. It is an agreement that is impossible for me to get to deal with this bill. Yet that is the basis of this whole bill. Not only is that a part of this bill, we are asked to deal with this bill and we cannot even see the agreement on which this bill is based. I have talked to a number of people and grape growers on both sides of this bill. I guess I have found out most of the details and general principles that are in this bill, but it is something we should have when we are dealing with this bill.

All the policy, therefore, will be developed by regulation after the bill is passed. I think it is true to say this government is rightly to be faulted for that kind of a bill. After all, that agreement was passed, as was already said, last November. Somehow or other, between now and then, we should have been able to have more of those details on those principles before us, whether it was the draft regulations that we could have had tabled at this time or a statement of policy by the

minister with regard to all of those items which are in that agreement.

There are other reasons why we cannot support the bill. The minister said, for instance in his statement the other day in the House, "This legislation represents a realistic, comprehensive restructuring strategy which will ensure the ability of the grape and wine industry to compete head on with products from around the world in terms of quality, image and price." I suggest that is not the real interpretation of this bill. Rather, it is primarily a bill, whether it is designed that way or not, which will be used to downsize the industry and integrate the wine industry into the free trade deal.

I do not think, if we look at that again, there is any question that is the case. According to these principles, the amount of grapes to be bought will be 25,000 tons. That is the minimum amount. I want to make that clear. The minimum amount to be bought will be 25,000 tons a year for 12 years. It is not exactly that way. The 12 years and the minimum are not exactly correct. But even if it was correct, last year approximately 36,000 tons of the grapes in Niagara were used in the wine industry. That is going down to 25,000. That is a reduction of 30 per cent. That means that 30 per cent of the growers in the Niagara Peninsula are going to be wiped out.

This is not possible because there are contracts and so on, but even if one cut every grape grower's volume by 30 per cent, many of them would no longer be an economic operation. They say that is a minimum. That is correct, as I understand it, under the agreement. Of course, I have not seen the agreement, so I cannot say for sure. Unfortunately, there will be the right to import. If the wineries can sell the same amount of wine as they do at the present time, they will be importing much more in the way of foreign grapes, grapes which mostly will come from the United States, and those grapes are substantially cheaper. I am sure the minister knows this.

In fact, in California the average price for the type of grapes they need to produce the best wine is about \$400 a ton. The average price here—and it is to a large extent because of our costs of production; we could go into that, but I will not take the time this late in the session, Mr. Speaker, you will be glad to hear—is \$600 to \$650 a ton.

If they can import grapes and make a cheap wine out of those grapes, that is the wine they are going to push; they are going to be making more profit on it. That will mean the wines which are

substantially made from Ontario grapes will not sell as well.

1700

Then there is an escape clause. The minister has seen the agreement so he can tell me if I am wrong, but that 25,000 tons is not a guaranteed 25,000 tons at all. It is only based on sales and that can be renegotiated every year. So if the wineries push the wines which are predominantly made from imports and they do not sell the wines which are made from the Ontario grapes, then that 25,000 tons has little or no meaning. When we talk about the 25,000 tons of grapes, even though it is a reduction of 30 per cent, the fact is that there is no guarantee of that. It is really a one-year agreement.

Of course, I said the second thing this bill does is to integrate the grape and wine industry into the General Agreement on Tariffs and Trade and the Mulroney-Reagan free trade agreement. Certainly this bill can be used for that. Just look at those clauses again:

"3(1) The Lieutenant Governor in Council may make regulations, (a) requiring that wineries purchase a quota of Ontario grapes each year;"—that is the 25,000 tons, which is not firm. That is only for this year, down from 36,000 tons last year. He can change that whenever he likes; no guarantee there—" (b) prescribing how the quota will be determined and designating and authorizing a body to make that determination; (c) prescribing the varieties of Ontario grapes that must be purchased for purposes of the quota; (d) prescribing conditions under which wineries may use imported grapes or grape product in the manufacture of wine;"

If we are going to go into a free trade agreement, every one of those clauses fits perfectly with that free trade agreement. If free trade is coming in here, they can cut down on local production; they can change the quotas of Ontario grapes which have to be used; they can change the varieties of Ontario grapes which have to be used; and they can change the conditions under which wineries may use imported grapes or grape product in the manufacture of wine.

That clause deals with free trade. In fact, I would suggest that Mulroney would think that was an ideal clause to have in this agreement, that the Ontario government is in fact now willing to accept free trade and is amending its legislation accordingly. I am not suggesting that is the intent. I hope it is not the intent, but in fact that is what this does. It implements free trade in the wine industry.

Another thing that bothers me about this is that GATT was never really fought. I do not blame this government for that, but I am sure members agree with my comments. The federal government never fought this ruling of GATT, that somehow or other we were subsidizing Ontario wines because of the additional markup. All the studies which have been done show that the grape and wine industry in France and in Italy are subsidized two, three and four times as much as our wine industry here.

The federal government accepting this ruling of the General Agreement on Tariffs and Trade had nothing to do with the validity of the ruling. It had everything to do with the tradeoffs that the federal government wants to make. That is why the federal government traded off the wine industry in Ontario.

We are likely going to have a federal election this fall. It could come even earlier than that, according to this morning's paper.

Mr. Speaker, I know that you and I have no inside knowledge on that matter, but it is possible that we might get a different government in Ottawa.

Mr. Smith: No.

Mr. Swart: Yes, it is just possible that we might have a minority government, and we might get two parties that would agree on an accord. Then that government might write into that accord that it was going to fight GATT, it was not going to accept the GATT ruling, and it was not going to trade off our grape and wine industry.

Why should we pass a bill now to trade it off when there is the prospect that we may get a change in the federal government? I think we should be urging a real fight on GATT, and we should be making that an issue in the coming federal election.

I asked why we would pass legislation to fit the wine industry into both the free trade agreement and the GATT ruling, especially when the free trade agreement is also not a fait accompli. I still have hopes that we will never have that free trade agreement. I do not think there is any question it is going to damage our nation substantially, and that matter may be settled by a federal election too. Therefore, why go ahead now with a bill that in fact integrates the grape and wine industry into the free trade agreement?

Another thing that bothers us about this bill to downsize the industry, and that is what it is, is that it is presented in isolation from anything regarding compensation to the growers who will be levelled, flattened, by free trade and the GATT ruling.

Those growers have asked for a settlement of \$156 million, if they are to downsize the industry, for the grapes that they have to take out. This is not a figure that was picked out of the air. This is a figure that was picked out of the cost of planting the grapes that they now have to tear out, and the cost, I believe, for four or five years of the lost sales of those grapes.

But there is nothing said, no statement here that the provincial government is willing to pay part of that cost. It is primarily a federal responsibility, especially when that government is the one that looks after GATT and free trade. But this government has not indicated any willingness whatsoever and has not said a word about that in this Legislature.

Also, this government, and this is where it has responsibility, has stated that this year it is not willing to buy any surplus grapes. Last year, the federal and provincial governments and the growers themselves, on a one-third-each basis, bought something like 11,000 tons of surplus grapes. Most of these have been sold. They have been made into brandy or something of that nature, and have been sold afterwards, but they bought up the surplus. The year before it was 18,000 tons—I think my figures are correct—that they bought.

The federal government—probably because it is an election year; I know how politics works—has indicated that this year it will again consider buying up some surplus grapes, but not this provincial government. This provincial government has said no.

Do members know that this year, if they sell only 25,000 tons to the wineries, there will be at least another 25,000 tons surplus? The grape crop looks good this year down on the Niagara Peninsula. This drought could affect it, but the spring this year has been good. We are talking about 25,000 tons of grapes that will drop off the vines this year, likely half the grape crop, unless there is some purchase program, as there has been other years. But there is no mention of that and no statement about that whatsoever.

1710

Then the minister states—and I mentioned this yesterday in a supplementary question—that there has to be a change from the production of Labrusca grapes to the hybrids and the viniferas. We know that Labrusca grapes are not as acceptable as they were for the making of wines if we want to have the competitive wines.

I am quoting again from the statement of the minister in the House the day before yesterday, I believe it was. He states: "Ontario's grape-

growing acreage must be converted more fully to growing the high-quality hybrids and viniferas which produce our successful wines. These grape varieties require further development and testing. New vines need time to be brought into production. Then wines must be developed and refined."

If this is correct and that is a real necessity, then how is it that the Ontario government has not in fact proposed some form of assistance for changing to the new varieties, for the conversion? It is a pretty costly process, I am sure the minister would agree.

In fact, in about 1975—I am not sure of the year—the Conservative government of this province at that time—

Mr. J. M. Johnson: We are out of this.

Mr. Swart: The Conservatives are of this, are they?

Mr. J. M. Johnson: Yes.

Mr. Swart: There may be other areas they are out of. I think of free trade too, but we will not go into that one at the present time.

At least the Conservatives back then, to give them due credit, did have a plan where they provided interest-free loans over a five-year period to do the conversion to the types of grapes that were required by the wineries.

Mr. Villeneuve: You see, we commissioned this.

Mr. Black: They did something good.

Mr. Swart: That is right.

But there is nothing, no proposal, no mention of that. That is not part of any package. We just get the bill before us, a bill which downsizes without giving any compensation to those producers.

I hope the minister will listen to this, because I want him to reply to it.

However, the facts as presented to me by the Ontario Grape Growers' Marketing Board are that they have adequate hybrids and viniferas now to meet the demand in any normal year. If they switch over and plant more of them, all we are going to have are more surpluses which are going to go on the ground.

In fact, it is even worse than that. When the minister says we need to make this changeover, the fact is there has been a dramatic changeover in the last two or three years. These varieties that are required by the wineries have been planted. That is in addition to the 23,000 tons we now produce, and the wineries want only 20,000 tons of these varieties.

There have been a great many more vines planted out that are not producing yet but that will be producing, some of them this year, some of them next year, some of them the year after. So it is very doubtful that the statement the minister has made here about the conversion is correct. It is likely we will already have a surplus of those varieties that are needed.

Again, the minister is tied up, but I would like him to comment on this if some of his colleagues can remind him that I did ask the question.

In all of this guarantee to buy 25,000 tons of grapes, there is nothing said about the price. What good is a guarantee without a price? Are they going to offer the same as they will pay to the growers in California for the imported grapes, \$400 a ton? Just the cost of producing them is \$500 a ton. Are they going to offer \$400 a ton?

Mr. Philip: We don't know, do we?

Mr. Swart: We do not know, but there is nothing to prevent them from doing exactly that. Surely, if they really meant to put this in to protect the grape-growing industry, they would have added something in that regard.

I have already stated that this is a difficult issue. I know the Ontario Grape Growers' Marketing Board, which represents the growers, who really are the victims in all of this—let's not make any mistake about that—has gone along with this agreement. "Reluctantly"—that is the first word they will use—"but yes, we've gone along." They do not know what else to do.

It is true, at least theoretically, that this agreement is different to the General Agreement on Tariffs and Trade, which phased out the differential in markup over 10 years—this phases it out over 12 years; the GATT decision would have phased it out 25 per cent the first year, 25 per cent the second year and then a more gradual phaseout from there on, which would have hurt the grape growers a great deal.

This bill is more beneficial in that regard, but in all other respects, I submit it is questionable that there are any benefits to the grape growers at all. I suggest this government should have done more on marketing Ontario wines to Ontario people. It could have been done through the Liquor Control Board of Ontario. They could have given priority in other ways to the marketing of our Ontario wines, and that has not been done.

This is a unique industry. We do not export. In fact, the total wine produced in this nation meets only about one quarter of the demand. If that is the case, surely we can devise means to save that

domestic industry, when three quarters of our wines are going to be imported in any event. That, I suggest, is what we have to do.

I know too that the agreement was drafted basically by this government, and it did not leave much room for the growers and the wineries to manoeuvre. The Premier wanted it quickly, for the first ministers' conference, so the whole agreement got pushed through and signed very quickly.

I will conclude by saying that this party is not prepared to see our grape and wine industry destroyed or greatly diminished. This bill that we have before us will by its nature dramatically weaken that industry in this province. It will, there is no question about it. The marketing board is the first one to admit that this is the case.

I know the alternatives are not the best, but I suggest that we should not proceed with this bill on this matter at this time, when we know that the very passing of this bill is going to quite dramatically hurt the grape growers of the Niagara region.

Mr. Harris: I would like to take a moment to put a few comments on the record with regard to the government's handling of the Wine Content Act, Bill 169. I want to say what an honour it is to follow what I suspect is the very last speech to be given by the member for Welland-Thorold.

Mr. Breaugh: There are 40 minutes left, Mike.

Mr. Harris: That is right.

Mr. Breaugh: The guy's been buried a lot of times.

Mr. Harris: It is a singular honour so far; we will see what happens before the end of the day. Also, it is Bill 167, sorry, not 169. Is that right? I knew it was the Wine Content Act.

1720

I also want to say I enjoyed the comments that were made by the member for Welland-Thorold in what I think is his last address to this assembly. Far be it from me to have a greater understanding of the effect of this bill on the Niagara Peninsula than the member for Welland-Thorold, who has lived and worked and represented people in that area.

Given that and given the difficulty we are having in getting information from the government, it ought not to surprise members that I will be opposing this bill as well and our party will be opposing this piece of legislation. If there was any doubt in anybody's mind, surely the speech from the member for Welland-Thorold would have convinced this House that it is not

appropriate to be rushing through this legislation at this time.

We will be opposing the bill, not because this legislation is in any way contrary to the free trade agreement. As Bill 167 currently reads, it does not, as we understand it, conflict at all with the free trade agreement. I share the concerns of the New Democratic Party in this aspect, obviously for different reasons, and I understand their concerns, particularly in this aspect. However, depending on how the government drafts the regulations, this legislation might be and, in fact, appears to us to be very supportive in the wine policy area of the free trade agreement.

I find that ironic, given the statements coming from the government. However, that certainly could very easily be so, depending on the regs that are brought in. On the information we have been able to gather, it appears to us to be the case. I assume that the New Democratic Party would be opposing the legislation simply on those grounds, let alone the bill itself.

There is a reason we are voting against this bill. We have not seen the regulations. The minister refuses to show us the draft regulations; he refuses to show us if they have finalized regulations. We understand that meetings have been going on, yesterday and perhaps at this very moment as I speak.

The government is really asking us to give it order-in-council powers to pass the regulations sight unseen. Many times that is not unusual, but if any members have read this legislation, they will see that all the operative parts of the legislation are to give the Lieutenant Governor in Council the power to do everything. Actually, the regulations in this case will not be to interpret this bill; they will be the guts and the very substance of this particular legislation; so we are being asked to vote for a pig in a poke.

There has been no clear indication from the minister what policy direction they are pursuing in this regard. One day we hear the Premier talk about not wanting to implement anything to assist with the implementation of the free trade agreement; then we see this legislation that appears to want to implement the free trade agreement. One minute we hear concern about resources in the free trade agreement; the next minute the Minister of Natural Resources (Mr. Kerrio) introduces a bill today, of all things, to facilitate and set down the rules by which Ontario will negotiate and sell water.

We are astounded with the conflicts coming from the government. We, a party in favour of free trade and a party of the free trade agreement,

find ourselves totally opposed to the bill that was brought in by the Minister of Natural Resources today. We stand unequivocally opposed to selling Ontario's water resources; yet a bill comes in today to set down the terms and conditions by which Ontario plans to negotiate the sale of water. We find that astounding.

Coming back to this bill, we suggested to the government, through the House leader and in a meeting we had with the minister as well, that it simply extend the old wine content legislation for three or four months while the minister clarifies the proposed regulations, completes the negotiations with the wine industry and with the grape growers and then allows the opposition parties and all the interested parties a chance to review the regulations and the proposed direction of this government. That was rejected by the government. Now we are left with no choice but to speculate on what direction the government might be pursuing.

The government has introduced a bill in the last week of the House. They have asked for speedy passage. They have asked for co-operation from the opposition, and yet they are not totally open with us in where they are going. Either they do not intend to be open with us, which is one option, or they do not know where they are going.

My preference at this time, because this minister has always been very straightforward with me and we have shared committee work together and shared a great deal of time in this Legislature, he on this side of the House, I on that one and vice versa, hopefully some day vice versa again—

Hon. Mr. Wrye: I must admit I like this one.

Mr. Harris: He likes the versa better than the vice, and I understand that. I share that. We are of like minds there as well.

He has always been pretty forthright with me, so one option then is that the Premier said: "No, don't tell them. Even though you think it is in their best interest and that's the fair way, don't tell them." I tend to give this minister enough credit that he would still find a way to sneak to me what the intentions are, so I have to assume they do not know what they are doing. There is no other option, there is no other conclusion one can come to. It is one of those two. I suspect it is the latter, and we can only speculate.

It is interesting that on the day we are debating this legislation the government released a large volume of reports dealing with free trade. I bring this to the attention of all members. They might

want to check their mailboxes and see all the reports that were released today.

Buried in that pile of reports was one titled, *Freedom to Choose: New Wine Policy for Ontario*. This was prepared for the Ministry of Consumer and Commercial Relations by Development Consulting Ltd. in August 1987. Strange it was not released in August 1987; that was the middle of the election. Surely in the middle of the election the government would want all the information that it had available to itself to be out and before the public.

Mr. Villeneuve: Selectively.

Mr. Harris: Well, I understand, and when members read the report they will understand why that document was hidden until today. Maybe some of the thrust of this report might help us with our speculation on where the government is going with its wine policy.

The report suggests, "Our research convinces us that new freedom to serve consumer choice... would outweigh the present leaking comfort of regulated favour." Market forces would outweigh, in advantage to the wine industry, the present leaking comfort of regulated favour, of protectionism. The report says free trade will be a good deal for the wine industry. This is a government report prepared for the Ministry of Consumer and Commercial Relations.

On page 20, the report indicates that over the past few years Ontario wine consumer preferences have changed. By a margin of two-to-one, they prefer imported wine over domestic wine. The study indicates we definitely prefer wine made from the vinifera and other non-North American class grapes. The report continues on page 21, "Given the above, wine producers must be free to choose the grape product they need to successfully sell into our marketplace."

1730

As I suggested, the minister is not letting us see his regulations and is not giving us an honest assessment of the fate of the grape growers as a result of such regulations. We sense they will favour the wine industry and we sense they will implement the free trade agreement; but what about the grape growers as a result of these regulations? Again, we can only speculate. If, as this August 1987 report indicates, the ministry is moving towards a free-market approach, why does the minister not just say so? Why does he not stand up and tell us that? Maybe some people will not let him.

We are more than willing to discuss such a policy thrust. We would welcome the opportunity to develop a support program for the grape

growers, to assist them in such a market; but if the minister is unwilling to tell us where he is going and is not going to give any indication of enhanced support for the grape growers, he leaves us no choice. We cannot support giving the minister a blank cheque until and unless we know what support will be available for the farmers. Therefore, we cannot support Bill 167.

If the minister wants to debate the merits of free trade, we are happy to do that. If he wishes to discuss the need for a strong position at the GATT negotiations, we are 100 per cent supportive. If he is willing to bring forward a significant plan to support the grape growers of the peninsula, we would be glad to do that. But to come into this House on the last day before the break and ask for a blank cheque, to say "Trust us," in light of what we have seen come forward from this government, we cannot do that.

Our party will not support this legislation at this time. I find it regrettable when I say the words "at this time," because, as I have indicated, if the minister is willing to show us the direction he is going in, we may still not support it but we may be able to have some impact on that direction, collectively with the industry, which I know has been consulted by his ministry officials, but certainly not widely and certainly not shared by our party nor, my sense is, by the New Democratic Party.

We do not think this is the way the minister should proceed with legislation, particularly with a bill that gives so much authority. As I said, all the operative sections of this bill are that the Lieutenant Governor in council will develop this, will do this or will do that, all by regulation.

I will conclude by saying we cannot, in any sense of good conscience, support this legislation and see the grape-growing farmers of the peninsula left to the whim of this particular government.

Mr. McGuigan: I do not know by what leap of logic the member for Nipissing (Mr. Harris) could relate this to the free trade agreement. Our biggest enemy in the wine business during the history of the business has been Europe. They have a virtual lake of wine over in Europe that they will sell to us at almost any price. The usual figure quoted is that European wines are subsidized here to the tune of about \$2 a bottle.

I think it is safe to say that in the absence of this bill—and the member for Welland-Thorold came close to saying that—the wineries would be free to buy no Ontario wines and use that lake of wine in Europe to make their wines. There is so much wine over there that they are considering, and

there is a good deal of talk about it, turning it into fuel alcohol. If you are going to make fuel alcohol you would probably make it from a corn product or a sugar product, certainly not wine. That is some indication of the threat we have.

The real culprit in this, of course, is the federal government, which has the authority and the power to do these things, and it has not done anything. Ontario is stepping in and doing what can be done in the interim.

All of the things the member talked about adding to it are not precluded by this bill. This bill is simply a matter of meeting the challenge, as Ontario is able to meet the challenge, to help save the grape industry.

Mr. Villeneuve: May I too just rise for a few moments to give my full support to my colleague the member for Nipissing. He did not mention in his presentation that there is an Ontario Wine and Grape Industry Task Force report which was commissioned by the previous government and signed by some very knowledgeable people. Is it commonly known as the Tanner report. I see Brian Nash here, Keith Wiley, Jack Forrer and a number of very prominent people in the wine industry.

This came out in May 1986, well over two years ago, when we knew that the GATT would be deciding that, yes, we do price wine in a way that is not acceptable to the rules of GATT. So where has the government been? It actually could have used this report as a guide to prevent some of the problems that are being faced by the grape industry.

Since 1983, less than 50 per cent of the grapes are now being purchased and turned into wine here in Ontario. Even the Ministry of Agriculture and Food in a report put forward in January 1988 said the wine industry would be suffering to the tune of \$15 million.

What have they done? They have come along and given their blessing to reduced production and purchase of Ontario grapes. I think there is a great problem here in that this government has not shown the leadership it could have and has left our grape producers in a very, very difficult predicament, one that could well cause them great difficulty. Contribute to this the fact that the Ontario family farm interest rate reduction program is now being reduced by 60 per cent and this is a total outrage.

It is something this government just has not addressed. When times are most difficult we see it withdrawing support from agriculture, and in particular from the grape producers.

Mr. Harris: Very briefly, I want to say that my good friend and colleague the member for Essex-Kent (Mr. McGuigan) has said that in the absence of this bill there would be problems because of the lakes of wine in Europe. That is quite true. I agree with that, in the absence of a bill; and come the end of August there may not be a bill. But certainly if the existing legislation was extended for a few months we could find out what direction the government is going.

I still go back to say to him that in the former Progressive Conservative government, nobody stood up for the wine industry, for the peninsula, for the grape growers more than did the former Progressive Conservative members of those areas and the former Progressive Conservative government. Some have said too much so. Some have said if there was a fault in any of the policies concerning the wine industry in Ontario, it was that the Progressive Conservative government was too protective, that it was too supportive, that it subsidized too much, and that may be valid criticism.

Mr. McGuigan: I'm not saying that.

Mr. Harris: No, the member is not saying that, but some have said that. He did suggest in his remarks that somehow or other this bill was going to save the industry, as opposed to what had been done there before. I still say the preferred option would have been to extend the existing bill for a period of time. What information does the government have now that it did not have in August 1987, or in 1986 with the Tanner report?

Here we are, on the last day, and the government still does not know what the regulations are with a bill that has been brought in. It is not a good way to proceed.

1740

Hon. Mr. Wrye: I will attempt to deal with some of the questions raised by my colleagues in reply, always in the hope that perhaps my friends opposite will see the light.

I am, of course, disappointed that my friend the member for Welland-Thorold was unable in his final speech to offer support. I am sure, and I mean this quite sincerely, that he wished he could have. I hope, and I believe very strongly, that the effort which has gone into this bill and all of these discussions over the last period of time, probably a year and a half, will bear a positive result. I know my friend has concerns about it, but I just share that with him.

My friend the member for Nipissing perhaps has not listened and has not carefully contemplated what it is we are doing through the Wine

Content Act. Indeed, if he were to do so—I say this with the utmost respect—I think he would have some idea of where we are going because I think this act makes it very clear.

Let me just deal with a couple of matters. The issue of free trade was raised by both my colleagues. I think it would be fair to say that this bill does not and is not meant to discuss the issue of free trade, but there seems to be some concern, perhaps some support from my friends opposite who rush along with John Crosbie. I know my friend the member for Nipissing so well. I know he, unlike the Minister for International Trade, will have at least read the deal.

My friend the member for Welland-Thorold, who is taking his leave from this place, does so, I suspect, with concern that this bill indicates some support for free trade. I just want to assure him that this bill is in a sense neutral, in that it does not speak to free trade. It speaks to the competitiveness of the wine and grape industry and with or without free trade, it would have done so.

I think the Premier (Mr. Peterson) and certainly my colleagues and I have made ourselves clear on this issue and on the seven-year policy of the Mulroney government: the sell-out of the grape and wine industry. We have made ourselves clear in the past and I can only say to my friend the member for Welland-Thorold that nothing has changed, and this act certainly does not.

What is the direction of this act? I will repeat it once again because this issue was raised by both. This act speaks to the issue of making our grape-growing and wine industry internationally competitive. It speaks to the issues of quality, image and price. By “price,” it speaks, as was mentioned, to attempting to ensure that our grape growers, somewhere down the road, 12 years from now, can provide grape to the wine-makers of Ontario at internationally competitive prices. That is part of the area we are going to be working on.

My friend the member for Welland-Thorold has suggested that this is really not a 12-year bill but a one-year bill, and that the amount of grape may go up or down, depending on market share. He left the suggestion and the impression perhaps, I know quite inadvertently, that if the wineries were pushing imported product or wine with large amounts of imported product, this would cause a lower amount to be purchased in the future.

I want to dissuade him from that impression. I want to tell him very clearly that it is a total, all-in

market share. That would include all Ontario wine; it would include the blended wines. It is whatever we deal with as Ontario wine. I want to assure him of that. With the 42 per cent or 43 per cent market share, yes: if the share goes up, the wineries will be under an obligation to purchase more grape; if the share goes down, obviously we cannot be expecting the wineries to purchase grape they have absolutely no need for.

I want to again suggest to both of my colleagues, and particularly my friend the member for Nipissing, who I know has such a direct pipeline to Ottawa, that the issue of compensation is an important one. It is an important issue that Ottawa ought to be getting on with. The issue of assistance for farmers as we move in this area is an issue that ought to be addressed primarily by the federal government. It is not addressed very clearly in this bill and that should be no surprise, that is an issue that ought to be dealt with by the federal government.

Both members mentioned the recent General Agreement on Tariffs and Trade panel ruling. I just want to make it clear that this government has taken a leadership role, and I think one that is recognized by both the wine and grape-growing industries, in the discussions in Europe with the European Community in an effort to assure it of our determination to play on a level playing field with it and indeed to ensure that we receive the kind of support that will allow our industries to become completely competitive.

I believe it was the member for Nipissing who mentioned the possibility of delay, and certainly in some other discussions informally this matter was raised. I just want to put it on the record that certainly if we were to delay this matter three or four months, it would present a problem for both grape growers and wineries. They want the act passed to provide for a framework within which they can make their own business decisions, on both sides. The kind of delay that is proposed would just simply delay getting on with this strategy, delay getting on with the competitiveness that we need to have.

That is indeed the issue we face in terms of the surplus. The government has made it very clear to the industry. The member for Welland-Thorold mentioned the surplus, and I want to make it clear we are not into surplus purchase this year.

Again, there has been, if anything, too much delay, perhaps on everyone's part, in moving towards international competitiveness. Through the discussions which went on for a year and which concluded successfully last November, I

think all of us—government, the Ministry of Agriculture and Food and my good friend the minister there, and the Ministry of Consumer and Commercial Relations and both parts of the industry, the Wine Council of Ontario and the Grape Growers' Marketing Board—realized that it was time to get on with some tough decisions, and we have done that in a very balanced way.

I can only say to my friends, in conclusion, that I ask them, as they vote on this bill, to remember that they are voting for a piece of legislation that brings into effect for the very first time minimum quotas—and indeed I have spelled out what those minimum quotas are—and that as they vote on this Wine Content Act, they should do so in the knowledge that this legislation puts into effect those wine content aspects of the agreement which have been supported by both the Grape Growers' Marketing Board and the Wine Council of Ontario. If they think that way, perhaps it will lead them to understand that the industry itself supports this proposed legislation.

1755

The House divided on Hon. Mr. Wrye's motion for second reading of Bill 167, which was agreed to on the following vote:

Ayes

Adams, Ballinger, Beer, Black, Brown, Callahan, Campbell, Caplan, Cleary, Collins, Conway, Cooke, D. R., Cordiano, Dietsch, Eakins, Elliot, Epp, Faubert, Fawcett, Fleet, Fontaine, Fulton, Furlong, Grandmaître, Hart, Henderson, Keyes, Kozyra, Kwinter, LeBourdais, Lipsett, Lupusella, MacDonald, Mahoney, Matrundola, McClelland, McGuigan, McGuinty, McLeod, Miclash, Miller, Morin, Neumann, Nicholas, Nixon, J. B., Nixon, R. F., Offer, O'Neil, H., Patten, Phillips, G., Poirier, Polsinelli, Poole, Reycraft, Riddell, Roberts, Smith, D. W., Smith, E. J., Sola, Sorbara, South, Stoner, Velshi, Ward, Wilson, Wrye.

Nays

Breaugh, Charlton, Cooke, D. S., Eves, Farnan, Grier, Hampton, Harris, Jackson, Johnson, J. M., Laughren, Mackenzie, Martel, McCague, McLean, Philip, Pollock, Pope, Pouliot, Runciman, Sterling, Swart, Villeneuve.

Ayes 66; nays 23.

Bill ordered for third reading.

1800

WINE CONTENT ACT

Hon. Mr. Wrye moved third reading of Bill 167, An Act to revise the Wine Content Act.

Mr. Speaker: Is it the pleasure of the House that the motion carry?

Some hon. members: No.

Mr. Speaker: All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

Mr. Breaugh: On a point of order, Mr. Speaker: I really do not choose to do this, but I do believe there should have been a little request for unanimous consent there to do second and third reading. I would not like to see you off in court later on, where somebody pointed out, "You don't even know how to get unanimous consent and you can't even deal with the Legislature," so why do we not do it the right way?

Hon. Mr. Conway: If I might speak to the point, I stand properly chastised by my friend the member for Oshawa (Mr. Breaugh) and I shall take that as notice that I ought to proceed with great expedition and care this Wednesday evening.

Having regard to that, I would ask unanimous consent that we revert to motions so we can sit beyond six o'clock.

Mr. Speaker: Is there unanimous consent?

Agreed to.

MOTION

Hon. Mr. Conway moved that notwithstanding order 3, the House shall continue to meet after 6 p.m. this Wednesday evening.

Motion agreed to.

ORDERS OF THE DAY

INTERIM SUPPLY (continued)

CRÉDITS PROVISOIRES (suite)

Resuming the adjourned debate on the motion for interim supply for the period commencing July 1, 1988, and ending October 31, 1988.

Mr. Harris: I want to say about two minutes' worth on interim supply before we let the Treasurer (Mr. R. F. Nixon) go for the summer. I want to say that we, of course, will support the supply bill in that it provides the funds to pay the salaries and the bills of the government.

We obviously have concerns about the extra 8,000 or 9,000 salaries that are being paid by the government. However, it is not their fault that the government hired them and it is not their fault

that they should anticipate a paycheque during the summer break. I would support paying even those, because of the contractual arrangements, but we do not support the way this government has spent money.

We do not support a budget that has increased spending by more than double the rate of inflation every year since the Liberals have been in office. We do not support the kind of spending that is far in excess of that of any other legislative body in this country, certainly of all the other provinces and the federal government. We do not support the spending policies of this government which, in our view and in the view of any economist worth his salt, are inflationary and are therefore putting pressure on interest rates. They are destabilizing and they are contrary to what any economist worth his salt would think is a reasonable way for the richest province in this country to be proceeding. I would be remiss if in allowing supply to proceed, I did not get those few comments on the record.

In concluding, I also want to say I am astounded that this government has money for things like a provincial fragrance, perfume, but the Minister of Natural Resources (Mr. Kerrio), the Minister of Tourism and Recreation (Mr. O'Neil) and the Minister of Northern Development (Mr. Fontaine) do not have \$1,000 to move from in front of the Booth Landing Lodge on Wassi Lake in Chisholm township a floating island of weeds that has drifted in right on the shoreline. None of those ministries will help those camp operators, Mr. and Mrs. Heike, who are sitting there now having to turn guests away from their camp. Every ministry has said: "It is not our problem. It is somebody else's problem." They cannot find \$500.

I mention that example specifically because that is typical of this government's response to anything that makes sense, to any request where we think the government should be really helping people who need it.

I am astounded that the Ministry of Northern Development does not have the money to proceed this year with a water quality study in and around the lakes of North Bay. What are we talking about? In that case, \$25,000. The Ministry of Northern Development said it did not have that money, while the government hires 8,000 extra civil servants, while it spends at two and three times the rate of inflation, while the Premier (Mr. Peterson) spends more money on exotic travel than any Premier in the history of this province. The amount of travelling the Premier does, for no apparent good reason that I

can see, is an embarrassment and a disgrace to this government.

Mr. Jackson: Ask the Speaker if you are within your two minutes.

Mr. Speaker: Order.

Mr. Harris: I think I am within my two minutes. I want to say we will not oppose supply to the Treasurer, but those are some of the examples of the way the government is handling money, and this is an opportunity to talk about budgetary policy and the direction in which it is leading this province.

As we finish this session, I think it is important to remind people that this is not necessary in this province. It is not necessary to jeopardize the financial integrity of this province. It is not necessary to mortgage the future of our children in this province. It is not necessary to cause problems across this country because of the size of this province and the free-spending way that they spend.

With those few remarks, I will sit down.

Mr. Speaker: Are there any comments or questions?

Mr. Laughren: It is a very good feeling to rise in my place after the rather constrained time limits we had this afternoon on the Meech Lake debate to be engaging in a debate on which there are no time limits.

I must say I agree partly with the comments of the member for Nipissing (Mr. Harris) in that we do not like the way this government spends its money either. Certainly, one of the great mysteries of the 20th century is how this Liberal government, given the incredible, increased revenues it has received since it became government, has spent that money. Everyone is clamouring for more money. Everyone says he does not have enough, and yet the Liberal government does not seem to be able to satisfy anyone out there in terms of its expenditures.

Given the broad-ranging nature of a supply motion debate—

Mr. Speaker: Actually, I called for questions or comments on the remarks made by the member for Nipissing, and you rose.

Mr. Laughren: All right. Then I will restrict my comments on the member for Nipissing's remarks and wait until there is an opportunity to speak on the actual motion itself.

Mr. Pope: I want to ask the member for Nipissing to comment on the fact that we have seen a government with a \$1.3-billion tax increase, annualized, at a time when revenues are increasing in the provincial Treasury. We have

seen ministers spending government money in their own operations, their own offices, in a way never before seen; and for ministry administration, increases ranging from 40, 50, 60, 90, 100, 200 to 400 per cent, in a way we have never seen before.

1810

We have seen total financial irresponsibility from the cabinet and from the government of Ontario, and we have the Ministry of Natural Resources cutting back on reforestation budgets in northern Ontario, putting out the word to regional and district foresters that they have to cut back on tending, on silviculture and on contracts. At the same time, he is occupied with trying to challenge the Chicago diversion of water out of Lake Michigan.

Let him stick to the basics, get the job done and start behaving in a manner which is fit for the people of Ontario. Let him take care of the basic reforestation program and the basic programs for northern Ontario which were promised and not delivered.

Mr. Speaker: I am just wondering, is the member commenting on the comments made by the member for Nipissing?

Mr. Pope: Why do you interrupt all the time like this? I am making a comment on his statement. I have the right to make a comment on his statement.

Mr. Speaker: You do.

Mr. Pope: I want the member for Nipissing to comment on the lack of responsibility, the lack of sticking to basics, the fact that we cannot get any of the basic program deliveries for the people of northern Ontario and across the province.

It is an absolute disgrace the way they are wasting the taxpayers' money, and they sit there and laugh about it—\$1.3 billion more in this tax year. It is a great laugh; have a good time with the taxpayers' money. They want us to vote interim supply for this to continue. They ought to be ashamed of themselves. There are a lot of things—

Mr. Speaker: The member's time has expired.

M. Runciman: Je voudrais faire un bref commentaire sur un domaine où le gouvernement ne semble pas avoir d'inhibition à dépenser de l'argent. Il s'agit de la Loi 8 sur les services en français. Nous voyons la prestation de services coûteux et inutiles dans des régions où on ne s'en servira jamais, et j'insiste sur le mot «jamais». En même temps, nous voyons un grave manque

de financement de nos systèmes de santé et d'éducation.

C'est pratiquement de la négligence criminelle. Le gouvernement a créé une vaste industrie de traduction, avec quels résultats? D'énormes problèmes. Beaucoup de traducteurs n'ont pas les compétences nécessaires. La qualité des traductions en souffre. Les conséquences pourraient en être graves.

Je voudrais souligner un point en particulier: c'est que la politique linguistique de la Loi 8 et de ce gouvernement est irréfléchie et représente un autre exemple flagrant de l'extravagance dépensière typique des libéraux. Merci.

Mr. Harris: I am pleased to respond to the comments from the member for Cochrane South (Mr. Pope). I was trying to say in my own way, but he has said in his way and I want to concur with those remarks, about the disgrace, particularly with regard to the Ministry of Natural Resources. We talk about three million tree seedlings sitting there now being burned or thrown into the garbage because the minister has cut back the funding for reforestation, cut back the funding for the forest management agreements for the first time.

The industry is now saying it cannot proceed with implementing the forest management agreements as it could under the former government. The funds are being cut back at a time when funds should be increasing, particularly in the tending side. It is an absolute disgrace that those funds are not being committed by the Ministry of Natural Resources.

Aussi, je désire dire un gros merci au député de Leeds-Grenville (M. Runciman), et je dis seulement «d'accord».

Interjections.

Hon. Mr. Conway: You're back in the party fold, are you, Floyd?

Mr. Laughren: Yes, I am working my way back in.

I did want to make a couple of comments. First, I am glad that the Minister of Northern Development (Mr. Fontaine) is here this afternoon, because this party had its biannual convention in Thunder Bay—the first political party ever to hold a major political convention in northern Ontario, I might say—and at that convention the message from people living in Thunder Bay and points east, west and north was clearly that this government has not earned it spurs in policy development in northern Ontario.

We are looking in the next couple of years to the Minister of Northern Development doing something about his northern development fund

so that there is an adequate amount of money in there to do something serious with northern Ontario. The minister knows that \$30 million is just a token amount of money for the north.

Before I sit down, I cannot resist making a couple of comments about what the Premier said recently about travel by committees of the Legislature.

Interjections.

Mr. Speaker: Order.

Mr. Laughren: There has been some heckling from the government benches about where I am travelling to and so forth.

Mr. Mahoney: Just curious.

Mr. Laughren: I chair the standing committee on resources development. That committee is a long-standing committee of this assembly and has done almost no travel. I cannot remember us travelling outside Ontario.

Interjection.

Mr. Laughren: Well, I cannot remember us travelling outside Ontario, so I am not speaking for myself, as chairman of one of the committees or as a member of any committee that is travelling, but I do think it was most inappropriate for the Premier to decide to play a little cheap politics and come down heavy on the process around here which approves committee travel.

Committee chairmen put in their requests for their budget to the Board of Internal Economy. The Board of Internal Economy, dominated by Liberals, of course, as are the committees, approves or disapproves of those committee budgets. Therefore, when those budgets are approved, it is assumed that the budgets have the approval of the Legislative Assembly.

Then, when the Premier is questioned by a reporter, he decides not to take the high road, not to take the road that has worked well around this place, but rather to play some cheap and shoddy politics with the issue and say: "Well, I don't think those committees should be travelling. Oh, are they really travelling there? Well, maybe the whole committee shouldn't be travelling there."

Perhaps the Premier would like to chair the Board of Internal Economy and make all the decisions himself. Why bother with having a Board of Internal Economy that sits in judgement on the budgets of the various committees if he is going to be the final arbitrator in these cases anyway?

I would ask the members of the assembly, of all political parties, to think seriously about what the Premier has done. If he wants to bring down a dictum that committees will not travel, let him

have the courage to say so to the chairmen of the committees—as a matter of fact to the assembly as a whole. I can tell members that, as chairman of a committee that is not affected by his comments, I am still offended by the cheapness of that kind of politics.

1820

Mr. Sterling: I would just like to join the member for Nickel Belt (Mr. Laughren) in his concern about the functioning of committees and committee reports and the response which the Premier has given.

I am a member of the standing committee on the Legislative Assembly which, about a year ago, put forward several suggestions adopting proposals which were put forward by the commissioner on election expenses. That particular committee put forward a unanimous report, supported by all of the Liberals on that particular committee.

The report was taken down the hall by the press and the Premier was asked for his response to that particular report by the Legislative Assembly committee. The Premier again gave in, took a cheap shot at all the members, and decided what the members of this Legislature should be paid after there had been discussion about various kinds of issues revolving around remuneration.

The Legislative Assembly committee has now decided that it will not make any more decisions on those matters. We are not going to do it any more, because we are not going to set ourselves up for the Premier to take shots at us. He can make all the decisions. If he does not want any consultation to go on with regard to what members of this assembly do, he has just asked for it; that is the way it is going to happen.

Therefore, the Legislative Assembly committee will no longer make decisions in advising the Premier on any matter in this regard, because we know what will happen. The report will be taken down the hall and he will just take cheap shots at us in the press.

Mr. Pouliot: I have no intention of prolonging, because I am fully aware that people are anxious to go back to their respective ridings and meet their constituents and thank them for their good fortune of last September 10.

But while I will be going back to the riding of Lake Nipigon, I am faced with a dilemma I am sure you can appreciate at first hand, Mr. Speaker. Having had to ratify trips in the northern part of the riding of Lake Nipigon, of course, you will be aware that it is no longer the case. I, for one, with a riding of 114,000 square

miles, find myself representing the people of the great riding of Lake Nipigon in the ironic situation of being limited to \$7,000 for lodging and travel within the riding of Lake Nipigon.

We can appreciate and sympathize with the need to be somewhat more parsimonious, more spartan and frugal regarding travel; I have no quarrel with that. What is really ironic, with the highest respect, is that ministers of the crown have an unlimited budget—not that they are not welcome in the riding of Lake Nipigon—yet the sitting member is limited, trying to cover the needs of constituents in a riding of 114,000 square miles.

I am told not to worry, but it is a difficult dilemma. It means that, for the northern part of the riding, you must not visit more than twice a year unless you are willing or have the ability to be out of pocket. Should a calamity, heaven forbid, strike in the northern part of the riding, you will send a telegram because you cannot attend to your responsibility.

But I am sure the House leader has given me the guarantee, along with the Treasurer, they want to wish me well in my travel—

Mr. Speaker: The member's time has expired.

Mr. Laughren: I would have hoped there would be some comment from the other side. I could not help but notice, when I rose to speak originally, that the Minister for Municipal Affairs (Mr. Eakins) issued a cheap shot and asked me where I was travelling to. I hope I have laid that to rest.

Second, I think that for the Minister of Municipal Affairs, who set up his phoney county review committee and transported only Liberal members all across this province at public expense, to be taking those kinds of shots is totally out of order.

This is the minister who could not even respond to question about an amendment he was putting in the House the other day and had to get help in here to answer it. For that minister to be taking those kinds of cheap shots is unbecoming.

Mr. Dietsch: That's not cheap.

Mr. Laughren: I think you should ask the Minister of Municipal Affairs exactly what he thinks he is doing.

Interjections.

Mr. Speaker: Order.

Mr. Laughren: I guess if the minister did not even understand one of his own amendments, we cannot expect him to understand the need for

some committee travel in Ontario. Perhaps I am expecting too much of the minister.

I am glad that the Minister of Natural Resources is keeping quiet, perhaps because he feels somewhat vulnerable on the way in which money is spent around here, particularly in the case of air travel. Perhaps that is the reason he is being strangely silent here this evening.

In conclusion, I simply wanted to put on the record that we think it was terribly cheap politics for the Premier to be taking shots at committees that are travelling, after having that travel approved by the Board of Internal Economy.

Hon. R. F. Nixon: I just want to thank the honourable members for the constructive tone of their comments. I can understand why they did not deal with more major issues, except peripherally and, of course, en français, to the members of the third party.

But I think the honourable members, as day by day they see the clouds of gloom that they themselves raise for the prospects of the province blown away by the facts, should really be aware of the fact that because of the spending program we have now, we have the lowest deficit in the province in 19 years. We have the lowest overall tax rate of any province in Canada. We have the highest growth rate of any province in Canada. We have the lowest unemployment rate of any province in Canada, and we are the only province in Canada with a triple-A rating.

At the same time, our programs are designed to improve the quality of life of our people while we build roads, schools and hospitals. We look with concern at the Progressive Conservative government of Canada, which is buying nuclear submarines. I am proud of the fact that this House is now unanimously granting interim supply. We feel that the money is being properly and responsibly allocated to programs that are uniformly supported not only by the members of this House but by the thoughtful people of this province.

Mr. Speaker: Order. Point of order?

Mr. Laughren: Point of information.

Mr. Speaker: Point of personal information?

Mr. Laughren: I wondered, since a point of information is to seek information and not give it, if the Treasurer could tell us if his statistics are accurate, even considering the luxurious travel engaged in—

Mr. Speaker: Order.

The Treasurer has moved the motion for interim supply. Is it the pleasure of the House that this motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion the ayes have it.

Motion agreed to.

COMMITTEE SITTINGS

Hon. Mr. Conway moved government notice of motion 13:

That the following standing and select committees be authorized to meet during the summer adjournment in accordance with the schedule of meeting dates agreed to by the three party whips and tabled with the Clerk of the assembly to examine and inquire into the following matters:

Select committee on education to consider the philosophy of the education system in Ontario and the education process relating to streaming, semestering, grade promotion and OSIS;

Select committee on energy to consider Ontario Hydro's draft demand-supply planning strategy. The subcommittee on agenda and procedure shall have authority to meet from time to time at the call of the chair. The committee shall have authority to adjourn to Montreal, Quebec, to attend meetings with officials of Hydro Québec;

Standing committee on administration of justice to consider Bill 113, An Act to amend the Retail Business Holidays Act, and Bill 114, An Act to amend the Employment Standards Act;

Standing committee on finance and economic affairs to consider the US-Canada free trade agreement and federal tax reform proposals. The committee shall have authority to adjourn to Geneva, Switzerland, to attend meetings with officials of GATT; to Brussels, Belgium, to attend meetings with officials of the European economic community, and to Paris, France, to attend meetings with officials of the Organization for Economic Co-operation and Development. The committee is authorized to release any report during the summer adjournment by depositing a copy of the report with the Clerk of the assembly and, upon the resumption of the meetings of the House, the chairman of the committee shall bring such report before the House in accordance with the standing orders;

Standing committee on government agencies to consider the operation of certain agencies, boards and commissions of the government of Ontario. The committee shall have authority to adjourn to Montreal, Quebec, with respect to its review of the Ontario French-Languages Services Commission;

Standing committee on the Legislative Assembly to consider matters related to the administra-

tion of the House and services to members. The subcommittee on agenda and procedure shall have authority to meet from time to time at the call of the chair to consider restoration-renovation proposals for the Parliament Building. The committee shall have authority to adjourn to Reno, Nevada, to attend the annual meeting of the National Conference of State Legislatures, and to Fredericton, New Brunswick, to attend meetings at the Legislative Assembly of New Brunswick on the rules of procedure, televising legislative proceedings and restoration of the Legislative Building;

Standing committee on the Ombudsman to consider the 1987-88 Annual Report of the Ombudsman and the expanded jurisdiction of the Ombudsman. The committee shall have authority to adjourn to Winnipeg, Manitoba, and Fredericton, New Brunswick, to consider the expanded jurisdiction of the Ombudsman;

Standing committee on public accounts to consider the 1987 annual report of the Provincial Auditor. The committee shall have authority to adjourn to Halifax, Nova Scotia, to attend the 10th annual conference of the Canadian Council of Public Accounts Committees. The committee is authorized to release any report during the summer adjournment by depositing a copy of the report with the Clerk of the assembly and, upon the resumption of the meetings of the House, the chairman of the committee shall bring any such report before the House in accordance with the standing orders;

Standing committee on resources development to consider Bill 87, An Act to amend the Ontario Highway Transport Board Act, and Bill 88, An Act to regulate Truck Transportation. The committee is authorized to release any report during the summer adjournment by depositing a copy of the report with the Clerk of the assembly and, upon resumption of the meetings of the House, the chairman of the committee shall bring any report before the House in accordance with the standing orders.

Motion agreed to.

Hon. Mr. Conway: I would like to seek unanimous consent to revert to motions, because there are two companion motions that belong with this particular motion.

Agreed to.

1830

MOTIONS

COMMITTEE SUBSTITUTIONS

Hon. Mr. Conway moved that the following substitutions be made on the standing commit-

tees: On the standing committee on administration of justice, Mr. Philip for Mr. Farnan; on the standing committee on the Legislative Assembly, Mr. Hampton for Mr. Swart; on the standing committee on the Ombudsman, Ms. Bryden for Mr. Charlton, Mr. Mackenzie for Mr. Philip; and on the standing committee on resources development, Mr. Pouliot for Mrs. Grier.

Motion agreed to.

COMMITTEE SITTINGS

Hon. Mr. Conway moved that, with the agreement of the House leaders and the whips of each party, committees may meet during the summer adjournment at times other than those specified in the schedule tabled today with the Clerk of the Assembly.

Motion agreed to.

THIRD READINGS

TROISIÈME LECTURE

The following bills were given third reading on motion:

Les motions de troisième lecture des projets de loi suivants sont adoptées:

Bill 6, An Act to amend the Execution Act;

Bill 22, An Act to regulate Motor Vehicle Repairs;

Bill 26, An Act to regulate Prepaid Services;

Bill 52, An Act to amend the Consumer Reporting Act;

Bill 68, An Act to promote the Conservation of Certain Land;

Bill 84, An Act to amend the Corporations Tax Act;

Bill 85, An Act to amend the Mining Tax Act;

Bill 86, An Act to amend the Highway Traffic Act;

Bill 90, An Act respecting the United Nations Convention on Contracts for the International Sale of Goods;

Projet de loi 90, Loi concernant la Convention des Nations Unies sur les contrats de vente internationale de marchandises;

EDUCATION AMENDMENT ACT

Hon. Mr. Ward moved third reading of Bill 100, An Act to amend the Education Act.

Mr. Speaker: Is it the pleasure of the House the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

Bill 109, An Act to establish a French-language School Board for The Regional Municipality of Ottawa-Carleton;

Projet de loi 109, Loi portant création d'un Conseil scolaire de langue française pour la municipalité régionale d'Ottawa-Carleton;

Bill 132, An Act to amend the Mining Act;

Bill 133, An Act to amend the Gasoline Handling Act.

PUBLIC LANDS AMENDMENT ACT

Hon. Mr. Kerrio moved third reading of Bill 137, An Act to amend the Public Lands Act.

Mr. Speaker: Is it the pleasure of the House the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

Bill 138, An Act to revise the Weed Control Act;

Projet de loi 138, Loi portant révision de la Loi sur la destruction des mauvaises herbes;

Bill 141, An Act respecting Metropolitan Toronto Convention Centre Corporation;

Bill 142, An Act respecting Ottawa Congress Centre;

Projet de loi 142, Loi concernant le Centre des congrès d'Ottawa;

Bill 148, An Act to amend certain Acts respecting the Environment;

Bill 153, An Act to amend the Pits and Quarries Control Act.

1840

MUNICIPAL EXTRA-TERRITORIAL TAX ACT

Hon. Mr. Eakins moved third reading of Bill 159, An Act to provide for Municipal Taxes in Territory without Municipal Organization.

Mr. Laughren: I believe brief debate is allowed on third reading. I wonder, in view of the fact that the Minister of Municipal Affairs (Mr. Eakins) seems to have all the answers today on a wide variety of matters, if he could explain to us the assessment formula under this bill and, second, if he could tell us why White River is not included under this bill.

Hon. Mr. Eakins: The reason White River is not included is provided in the bill. At the present

time, the majority of the people live in two communities, Marathon and Manitouwadge; I believe there are only about six living in White River. If the situation arises, if sufficient numbers of people move to White River that White River can be included, it certainly will be.

Mr. Laughren: Mr. Speaker, on a point of order: I did ask the minister about the assessment formula and I expect a response.

Hon. Mr. Eakins: The same paragraph was printed twice in order to make the formula work. In order for the formula to work, the paragraph had to be changed, and that is the reason it is in there.

Motion agreed to.

CITY OF TORONTO ACT

Mr. Reycraft moved, on behalf of Mr. Kanter, second reading of Bill Pr16, An Act respecting the City of Toronto.

Motion agreed to.

Third reading also agreed to on motion.

TOWN OF MARKHAM ACT

Mr. Harris moved, on behalf of Mr. Cousens, second reading of Bill Pr20, An Act respecting the Town of Markham.

Motion agreed to.

Third reading also agreed to on motion.

VIC JOHNSTON COMMUNITY CENTRE INC. ACT

Mr. Offer moved second reading of Bill Pr33, An Act to revive the Vic Johnston Community Centre Inc.

Motion agreed to.

Third reading also agreed to on motion.

PRIMROCK MINING AND EXPLORATION LIMITED ACT

Mr. Henderson moved second reading of Bill Pr35, An Act to revive Primrock Mining and Exploration Limited.

Motion agreed to.

Third reading also agreed to on motion.

COUNTY OF SIMCOE ACT

Mr. Black moved second reading of Bill Pr41, An Act respecting the County of Simcoe.

Motion agreed to.

Third reading also agreed to on motion.

MORAVIAN TEMPLE CORPORATION ACT

Mr. Reycraft moved second reading of Bill Pr44, An Act to revive Moravian Temple Corporation.

Motion agreed to.

Third reading also agreed to on motion.

OWEN SOUND YOUNG MEN'S AND YOUNG WOMEN'S CHRISTIAN ASSOCIATION ACT

Mr. Lipsett moved second reading of Bill Pr45, An Act respecting the Owen Sound Young Men's and Young Women's Christian Association.

Motion agreed to.

Third reading also agreed to on motion.

BROCKVILLE ROWING CLUB INCORPORATED ACT

Mr. Runciman moved second reading of Bill Pr46, An Act respecting the Brockville Rowing Club Incorporated.

Motion agreed to.

Third reading also agreed to on motion.

PETERBOROUGH CIVIC HOSPITAL ACT

Mr. Adams moved second reading of Bill Pr47, An Act respecting the Peterborough Civic Hospital.

Motion agreed to.

Third reading also agreed to on motion.

GOTTSCHER RELIEF ASSOCIATION ACT

Mr. McCague moved second reading of Bill Pr50, An act to revive the Gottscheer Relief Association.

Motion agreed to.

Third reading also agreed to on motion.

1850

INCORPORATED SYNOD OF THE DIOCESE OF HURON ACT

Mr. J. M. Johnson, on behalf of Mrs. Cunningham, moved second reading of Bill Pr51, An Act respecting the Incorporated Synod of the Diocese of Huron.

Motion agreed to.

Third reading also agreed to on motion.

CITY OF ETOBICOKE ACT

Mr. Henderson moved second reading of Bill Pr52, An Act respecting the City of Etobicoke.

Motion agreed to.

Third reading also agreed to on motion.

CITY OF NORTH YORK ACT

Mr. Polsinelli moved second reading of Bill Pr58, An Act respecting the City of North York.

Motion agreed to.

Third reading also agreed to on motion.

LEBON GOLD MINES LIMITED ACT

Mr. Reycraft, on behalf of Mr. Kanter, moved second reading of Bill Pr49, An Act to revive Lebon Gold Mines Limited.

Motion agreed to.

Third reading also agreed to on motion.

329931 ONTARIO LIMITED ACT

Mr. Black moved second reading of Bill Pr72, An Act to revive 329931 Ontario Limited.

Motion agreed to.

Third reading also agreed to on motion.

Hon. Mr. Conway: My understanding is that His Honour awaits.

ROYAL ASSENT

SANCTION ROYALE

His Honour the Lieutenant Governor of Ontario entered the chamber of the Legislative Assembly and took his seat upon the throne.

Hon. Mr. Alexander: Pray be seated.

Mr. Speaker: May it please Your Honour, the Legislative Assembly of the province has, at its present sittings thereof, passed certain bills to which, in the name of and on behalf of the said Legislative Assembly, I respectfully request Your Honour's assent.

Assistant Clerk: The following are the titles of the bills to which Your Honour's assent is prayed:

Bill 6, An Act to amend the Execution Act;

Bill 22, An Act to regulate Motor Vehicle Repairs;

Bill 26, An Act to regulate Prepaid Services;

Bill 52, An Act to amend the Consumer Reporting Act;

Bill 68, An Act to promote the Conservation of Certain Land;

Bill 84, An Act to amend the Corporations Tax Act;

Bill 85, An Act to amend the Mining Tax Act;

Bill 86, An Act to amend the Highway Traffic Act;

Bill 90, An Act respecting the United Nations Convention on Contracts for the International Sale of Goods;

Projet de loi 90, Loi concernant la Convention des Nations Unies sur les contrats de vente internationale de marchandises;

Bill 100, An Act to amend the Education Act;

Bill 109, An Act to establish a French-language School Board for the Regional Municipality of Ottawa-Carleton;

Projet de loi 109, Loi portant création d'un Conseil scolaire de langue française pour la municipalité régionale d'Ottawa-Carleton;

Bill 132, An Act to amend the Mining Act;

Bill 133, An Act to amend the Gasoline Handling Act;

Bill 137, An Act to amend the Public Lands Act;

Bill 138, An Act to revise the Weed Control Act;

Projet de loi 138, Loi portant révision de la Loi sur la destruction des mauvaises herbes;

Bill 141, An Act respecting Metropolitan Toronto Convention Centre Corporation;

Bill 142, An Act respecting Ottawa Congress Centre;

Projet de loi 142, Loi concernant le Centre des congrès d'Ottawa;

Bill 148, An Act to amend certain Acts respecting the Environment;

Bill 153, An Act to amend the Pits and Quarries Control Act;

Bill 159, An Act to provide for Municipal Taxes in Territory without Municipal Organization.

Bill 167, An Act to revise the Wine Content Act;

Bill Pr16, An Act respecting the City of Toronto;

Bill Pr20, An Act respecting the Town of Markham;

Bill Pr33, An Act to revive the Vic Johnston Community Centre Inc.;

Bill Pr35, An Act to revive Primrock Mining and Exploration Limited;

Bill Pr41, An Act respecting the County of Simcoe;

Bill Pr44, An Act to revive Moravian Temple Corporation;

Bill Pr45, An Act respecting the Owen Sound Young Men's and Young Women's Christian Association;

Bill Pr46, An Act respecting the Brockville Rowing Club Incorporated;

Bill Pr47, An Act respecting the Peterborough Civic Hospital;

Bill Pr49, An Act to revive Lebon Gold Mines Limited;

Bill Pr50, An Act to revive the Gottscheer Relief Association;

Bill Pr51, An Act respecting the Incorporated Synod of the Diocese of Huron;

Bill Pr52, An Act respecting the city of Etobicoke;

Bill Pr58, An Act respecting the City of North York;

Bill Pr72, An Act to revive 329931 Ontario Limited.

Clerk of the House: In Her Majesty's name, His Honour the Lieutenant Governor doth assent to these bills.

His Honour the Lieutenant Governor was pleased to retire from the chamber.

Hon. Mr. Conway: I would like unanimous consent to revert to motions, as I have one final motion.

Agreed to.

MOTION

ADJOURNMENT

Hon. Mr. Conway moves, consistent with standing order 17, that when the House adjourns today it stand adjourned until Monday, October 17, 1988.

Motion agreed to.

Hon. Mr. Conway: Before moving the adjournment of the House, I want very quickly to say three things. On behalf of all members, I want to thank in a very special way this latest class of pages, who have served us very well.

As well, on my own behalf, and I know one final time on everyone's behalf, I want to wish, with very great fondness and affection, all the best to our departing colleague, the member for Welland-Thorold (Mr. Swart).

I want to say to all colleagues, whether it be in travel or in more sedentary pursuits, may they have a pleasant and productive summer of 1988.

The House adjourned at 7:03 p.m.

ANSWERS TO QUESTIONS IN ORDERS AND NOTICES

TRADE WITH UNITED STATES

80. Mr. Brandt: Would each minister provide a list of all reports prepared for or commissioned by the ministry with respect to free trade, which have yet to be released, indicating the authors of the reports, the dates the reports were completed and the reasons why the reports have not been made public? [Tabled January 7, 1988]

Hon. Mr. Kwinter: The following is a list of all reports prepared for or commissioned by each ministry with respect to free trade which have yet to be released, indicating the authors of the reports, the dates the reports were completed and the reasons why the reports have not been made public:

Ministry of Culture and Communications

- | | | |
|----|--------|---|
| 1. | Title | Culture and Free Trade: Government of Ontario Discussion Paper |
| | Author | McCarthy and McCarthy |
| | Date | June 8, 1987 |
| | Reason | Discussion paper has not been made public because it contains confidential policy advice which was provided to the government |

Ministry of Industry, Trade and Technology

- | | | |
|----|--------|--|
| 1. | Title | Subsidies in Canada-US Free Trade Negotiations |
| | Author | Ministry of Industry, Trade and Technology |
| | Date | June 12, 1986 |
| 2. | Title | Government Procurement in Canada-US Free Trade Negotiations |
| | Author | Ministry of Industry, Trade and Technology |
| | Date | January 1987 |
| 3. | Title | Potential Canada-US Negotiations on Investment Practices: A Preliminary Ontario Position |
| | Author | Ministry of Industry, Trade and Technology |
| | Date | January 29, 1987 |
| 4. | Title | Industry Overviews |
| | Author | Ministry of Industry, Trade and Technology |
| | Date | February 1987 |
| 5. | Title | Contingency Protection in Canada-US Free Trade Negotiations (draft) |
| | Author | Ministry of Industry, Trade and Technology |
| | Date | June 1987 |
| | Reason | Above reports have not been made public because they contain information gathered at Continuing Committee on Trade Negotiations meetings and consequently embargoed under the Official Secrets Act |

Ministry of Labour

- | | | |
|----|---------|---|
| 1. | Title | Labour Adjustment and Bilateral Free Trade |
| | Authors | Prepared jointly by ministries of Labour and Skills Development |
| | Date | November 30, 1987 |
| | Reason | Report has not been made public because further revision is anticipated |
| 2. | Title | An Assessment of Potential Labour Market Adjustments in Ontario Manufacturing Under Bilateral Free Trade |
| | Authors | Arthur Donner and Norman Mogil ARA Consultants (commissioned by the Ministry of Skills Development in consultation with the Ministry of Labour) |
| | Date | September 29, 1986 |
| | Reason | Report has not been made public because it was decided to incorporate the results of the ARA study in the joint Ministry of Labour/Ministry of Skills Development paper Labour Adjustment and Bilateral Free Trade (see item 1) |

Ministry of Skills Development

1. Title An Assessment of Potential Labour Market Adjustments in Ontario Manufacturing Under Bilateral Free Trade
 Authors Arthur Donner and Norman Mogil ARA Consultants (commissioned by the Ministry of Skills Development in consultation with the Ministry of Labour)
 Date September 29, 1986
 Reason Above report has not been made public because it was decided to incorporate the results of the ARA study in the joint Ministry of Labour/Ministry of Skills Development paper Labour Adjustment and Bilateral Free Trade
2. Title Labour Adjustment and Free Trade
 Authors Prepared jointly by ministries of Labour and Skills Development
 Date November 30, 1987
 Reason Report has not been made public because further revision anticipated

Ministry of Transportation

1. Title Comments on Canada-US Trade Negotiations—A Transportation and Communications Perspective
 Author Ministry of Transportation and Communications
 Date March 6, 1986
 Reason Report has not been made public because content of report did not relate to legal context of agreement

Nil responses to question 80

Ministry of Agriculture and Food
 Ministry of the Attorney General
 Ministry of Citizenship
 Ministry of Colleges and Universities
 Ministry of Community and Social Services
 Ministry of Consumer and Commercial Relations
 Ministry of Correctional Services
 Ministry responsible for disabled persons
 Ministry of Education
 Ministry of Energy
 Ministry of the Environment
 Ministry of Financial Institutions
 Ministry of Government Services
 Ministry of Health
 Ministry of Housing
 Ministry of Intergovernmental Affairs
 Management Board of Cabinet
 Ministry of Municipal Affairs
 Ministry of Natural Resources
 Ministry of Northern Development and Mines
 Ministry of Revenue
 Ministry responsible for senior citizens
 Ministry of the Solicitor General
 Ministry of Tourism and Recreation
 Ministry of Treasury and Economics
 Ontario native affairs directorate
 Ontario women's directorate

81. Mr. Brandt: Would each minister table all reports prepared for or commissioned by the ministry with respect to free trade that have been

withheld from the public of Ontario? [Tabled January 7, 1988]

See sessional paper 305.

82. Mr. Brandt: Would the Minister of Industry, Trade and Technology provide a list of all reports to which he referred in responding to my initial question in the Legislature on Wednesday, January 6, 1988, indicating the authors of the reports, the dates the reports were completed and the reasons why the reports have not been made public? [Tabled January 7, 1988]

Hon. Mr. Kwinter: The following is a list of reports referred to in the Legislature on Wednesday, January 6, 1988. These reports were released on February 18, 1988, as part of a freedom-of-information request submitted by Norm Sterling.

A Free Trade Area, GATT and Non-Tariff Measures, prepared by Melvin G. Clark and Associates Ltd., August 4, 1985

Regional and Provincial Impacts of Canada-US Free Trade, prepared by Gilbert R. Winham, Dalhousie University, November 1985

Provincial Perspective on the Economic Impacts of US Free Trade, prepared by Woods Gordon Management Consultants, November 1985

A Comprehensive Bilateral Agreement with the US and National Treatment, prepared by Melvin G. Clark and Associates, August 1986

A Canada-United States Comprehensive Bi-

lateral Negotiations, prepared by Melvin G. Clark and Associates Ltd., November 1986

Ontario Trade Study on Institutional Furniture, prepared by Environics Research Group Ltd., May 1987

The Vulnerability of the Ontario Grape-Growing Industry to a Canada-US Free Trade Agreement, prepared by Woods Gordon Management Consultants, January 1987

Free Trade and Manufacturing, prepared by Donald C. Macharles, University of New Brunswick, January 1987

Study of the Ontario Beverage Industries, prepared by Woods Gordon Management Consultants, January 1987

The Impact of Canada/United States Free Trade in Used Motor Vehicles, prepared by Pilorusso Research Associates Inc., February 1987

Non-Tariff Measures and Dispute Settlement in GATT and a Limited Bilateral Agreement with the United States, prepared by Melvin G. Clark and Associates Ltd., February 1987

The Impact of Free Trade on the Tire and Tube Industry in Ontario and Canada, prepared by Stevenson Kellogg Ernst and Whinney, March 1987

The Economic Implications in Selected Ontario Manufacturing Industries of a Canada-US Free Trade Agreement, prepared by ARA Consultants, March 1987

The Potential Impact of a Canada-U.S. Free Trade Agreement on the Educational Sector in Ontario, prepared by ARA Consultants, April 1987

Impact of Trade Liberalization with the United States on Industrial Investment in Ontario, prepared by James F. Hickling Management Consultants, June 1987

The Canadian Automotive Aftermarket Industry—Current Trends and the Impact of Free Trade, prepared by Stevenson Kellogg Ernst and Whinney, August 1987

Antidumping Issues in the Free Trade Negotiations, prepared by F. Lazar, York University, August 1987

The Impact of Possible Changes in Contingency Protection Systems in a Free Trade Arrangement, prepared by Grey, Clark, Shih and Associates Ltd., March 1987

Canada-United States Automotive Trade in the Context of a Free Trade Agreement, prepared by Pilorusso Research Associates Ltd., September 1987

Future of the Automotive Industry in Canada in a Free Trade Agreement, prepared by Grey,

Clark, Shih and Associates Ltd., November 1987

85. Mr. Brandt: Would the Minister of Industry, Trade and Technology table the reports to which he referred in responding to my initial question in the Legislature on Wednesday, January 6, 1988? [Tabled January 7, 1988]

Hon. Mr. Kwinter: The reports referred to in the Legislature on Wednesday, January 6, 1988, were provided to Norm Sterling as part of the ministry's response to a freedom-of-information request. It is not the intention of the government to table these reports in the Legislature as they are already public documents.

SUMMER EXPERIENCE PROGRAM

104. Mrs. Cunningham: Would the Minister of Skills Development provide a detailed report on the number of applications received under the summer Experience '88 program as of the close of applications on April 8, 1988? [Tabled April 14, 1988]

Hon. Mr. Curling: For the summer Experience '88 program, 32,378 applications were received on or before April 8, 1988.

NURSING HOMES

128. Mr. Cousens: Would the Minister of Health provide detailed information on the staffing arrangements for each nursing home in the province, indicating the following: (1) name of the nursing home; (2) the number of licensed beds per home; (3) staffing hours provided on the day, afternoon and evening shifts by (a) registered nursing staff and (b) nurses/health care aides; (4) staff-resident ratios on the day, afternoon and evening shifts for (a) registered nursing staff and (b) nursing/health care aides? [Tabled June 20, 1988]

See sessional paper 298.

GO TRANSIT PARKING TICKETS

326. Mr. Jackson: Would the Minister of Transportation provide a list of the number of parking tickets issued by GO Transit officials at all GO Transit parking lots in Ontario on each individual day during the months of April and May 1988 under part II of the Provincial Offences Act, such list to provide a daily breakdown of the number of tickets issued at each individual GO Transit parking lot? [Tabled June 7, 1988]

Hon. Mr. Fulton: GO Transit received notification in early May that their parking regulations would be gazetted on May 16, 1988.

Following the release of a commuter bulletin, which explained the new parking enforcement system, the GO Transit security office commenced the ticketing of improperly parked vehicles on May 30, 1988.

The following list therefore only indicates the number of tickets issued on May 30 and 31, 1988.

Station	May 30	May 31	Total
Oakville	88	83	171
Clarkson	44	40	84
Burlington	30	49	79
Port Credit	25	29	54
Etobicoke North	23	23	46
Rouge Hill	2	26	28
Pickering	13	12	25
Long Branch	—	10	10
Scarborough	6	3	9
Eglinton	3	3	6
Markham	—	3	3
Mimico	—	2	2
Streetsville	—	1	1
Guildwood	—	1	1
Total	234	285	519

327. Mr. Jackson: Would the Minister of Transportation provide the date and location of the first ticket for improper parking issued at a GO Transit parking lot by GO Transit parking officials under part II of the Provincial Offences Act? [Tabled June 7, 1988]

Hon. Mr. Fulton: The first ticket issued by GO Transit was on May 30, 1988, at the Oakville station. This ticket was written at 8:06 a.m.

INTERIM ANSWER

112. Mr. Runciman: Hon. Mrs. Caplan—My ministry is presently reviewing this question and we anticipate a response will be available by July 11, 1988, approximately.

RESPONSES TO PETITIONS

RETAIL STORE HOURS

Sessional paper P-7, re Sunday shopping.

Hon. Mrs. Smith: The government has concluded that municipalities should have the option to decide retail hours on Sundays and other holidays and has introduced legislation to accomplish this.

The new law contains standard store closing rules for all of Ontario. These standard rules will remain in place unless a municipality decides for its own reasons to alter the law to reflect its own values or needs. It may do this by permitting

stores to open or requiring them to close on Sundays and holidays. Municipalities are entitled to make this choice for themselves.

Under amendments to the Employment Standards Act, all retail workers will be able to refuse Sunday work which is in their view unreasonable, and the legislation will protect workers against reprisals. Employers and employees will be encouraged to work out co-operative arrangements for Sundays. If no settlement is reached through mediation, the matter will be referred to an independent referee.

The current law has been found to be unenforceable and has been abused by some retailers. The proposed amendments provide a workable, fair and flexible solution to the issue of Sunday and holiday shopping.

DRINKING AND DRIVING

Sessional paper P-21, re impaired driving.

Hon. Mr. Scott: The government is pleased to take note that the week of June 12 to June 18 has been designated as Peterborough is Against Impaired Driving Week.

Citizen volunteers have played a very important role over the past few years in reducing the incidence of impaired driving. The dedication these volunteers have shown is vital if we are to continue to make progress in curbing this type of irresponsible behaviour.

The government has committed itself to an expansion of its efforts to address this serious problem through enforcement activities, public awareness campaigns and support for citizen initiatives at the local level. We appreciate greatly the efforts made by the petitioners to date and congratulate them on the initiative they are taking this month in Peterborough.

INTERIM RESPONSE

RÉPONSE PROVISOIRE

Sessional paper P-22, re Teachers' Superannuation Act.

Document parlementaire P-22, concernant le plan de pension des enseignants.

Hon. Mr. Ward: An answer to the petition tabled by Mr. Pollock on June 6 is not available at this time. An answer will be available on or about July 15, 1988.

L'hon. M. Ward: Une réponse à la pétition déposée par M. Cleary le 7 juin n'est pas disponible. La réponse sera disponible vers le 15 juillet 1988.

ALPHABETICAL LIST OF MEMBERS*
(130 seats)

First Session, 34th Parliament

Lieutenant Governor: Hon. Lincoln M. Alexander, PC, QC

-
- | | |
|---|--|
| <p>Adams, Peter (Peterborough L)
 Allen, Richard (Hamilton West NDP)
 Ballinger, William G. (Durham-York L)
 Beer, Charles (York North L)
 Black, Kenneth H. (Muskoka-Georgian Bay L)
 Bossy, Maurice L. (Chatham-Kent L)
 Bradley, Hon. James J., Minister of the Environment (St. Catharines L)
 Brandt, Andrew S. (Sarnia PC)
 Breough, Michael J. (Oshawa NDP)
 Brown, Michael A. (Algoma-Manitoulin L)
 Bryden, Marion (Beaches-Woodbine NDP)
 Callahan, Robert V. (Brampton South L)
 Campbell, Sterling (Sudbury L)
 Caplan, Hon. Elinor, Minister of Health (Oriole L)
 Carrothers, Douglas A. (Oakville South L)
 Charlton, Brian A. (Hamilton Mountain NDP)
 Chiarelli, Robert (Ottawa West L)
 Cleary, John C. (Cornwall L)
 Collins, Shirley (Wentworth East L)
 Conway, Hon. Sean G., Minister of Mines (Renfrew North L)
 Cooke, David R. (Kitchener L)
 Cooke, David S. (Windsor-Riverside NDP)
 Cordiano, Joseph (Lawrence L)
 Cousens, W. Donald (Markham PC)
 Cunningham, Dianne E. (London North PC)
 Cureatz, Sam L. (Durham East PC)
 Curling, Hon. Alvin, Minister of Skills Development (Scarborough North L)
 Daigeler, Hans (Nepean L)
 Dietsch, Michael M. (St. Catharines-Brock L)
 Eakins, Hon. John F., Minister of Municipal Affairs (Victoria-Haliburton L)
 Edighoffer, Hon. Hugh A., Speaker (Perth L)
 Elliot, R. Walter (Halton North L)
 Elston, Hon. Murray J., Chairman of the Management Board of Cabinet (Bruce L)
 Epp, Herbert A. (Waterloo North L)
 Eves, Ernie L. (Parry Sound PC)
 Farnan, Michael (Cambridge NDP)
 Faubert, Frank (Scarborough-Ellesmere L)
 Fawcett, Joan M. (Northumberland L)
 Ferraro, Rick E. (Guelph L)
 Fleet, David (High Park-Swansea L)</p> | <p>Fontaine, Hon. René, Minister of Northern Development (Cochrane North L)
 Fulton, Hon. Ed, Minister of Transportation (Scarborough East L)
 Furlong, Allan W. (Durham Centre L)
 Grandmaître, Hon. Bernard C., Minister of Revenue (Ottawa East L)
 Grier, Ruth A. (Etobicoke-Lakeshore NDP)
 Haggerty, Ray (Niagara South L)
 Hampton, Howard (Rainy River NDP)
 Harris, Michael D. (Nipissing PC)
 Hart, Christine E. (York East L)
 Henderson, D. James (Etobicoke-Humber L)
 Hošek, Hon. Chaviva, Minister of Housing (Oakwood L)
 Jackson, Cameron (Burlington South PC)
 Johnson, Jack (Wellington PC)
 Johnston, Richard F. (Scarborough West NDP)
 Kanter, Ron (St. Andrew-St. Patrick L)
 Kerrio, Hon. Vincent G., Minister of Natural Resources (Niagara Falls L)
 Keyes, Kenneth A. (Kingston and The Islands L)
 Kozyra, Taras B. (Port Arthur L)
 Kwinter, Hon. Monte, Minister of Industry, Trade and Technology (Wilson Heights L)
 Laughren, Floyd (Nickel Belt NDP)
 LeBourdais, Linda (Etobicoke West L)
 Leone, Laureano (Downsview L)
 Lipsett, Ron (Grey L)
 Lupusella, Tony (Dovercourt L)
 MacDonald, Keith (Prince Edward-Lennox L)
 Mackenzie, Bob (Hamilton East NDP)
 Mahoney, Steven W. (Mississauga West L)
 Mancini, Hon. Remo, Minister without Portfolio (Essex South L)
 Marland, Margaret (Mississauga South PC)
 Martel, Shelley (Sudbury East NDP)
 Matrundola, Gino (Willowdale L)
 McCague, George R. (Simcoe West PC)
 McClelland, Carman (Brampton North L)
 McGuigan, James F. (Essex-Kent L)
 McGuinty, Dalton J. (Ottawa South L)
 McLean, Allan K. (Simcoe East PC)
 McLeod, Hon. Lyn, Minister of Colleges and Universities (Fort William L)
 Miclash, Frank (Kenora L)
 Miller, Gordon I. (Norfolk L)</p> |
|---|--|

Morin, Gilles E. (Carleton East L)
 Morin-Strom, Karl E. (Sault Ste. Marie NDP)
 Neumann, David E. (Brantford L)
 Nicholas, Cindy (Scarborough Centre L)
 Nixon, J. Bradford (York Mills L)
Nixon, Hon. Robert F., Deputy Premier,
 Treasurer of Ontario and Minister of Economics
 and Minister of Financial Institutions
 (Brant-Haldimand L)
Oddie Munro, Hon. Lily, Minister of Culture
 and Communications (Hamilton Centre L)
 Offer, Steven (Mississauga North L)
O'Neil, Hon. Hugh P., Minister of Tourism and
 Recreation (Quinte L)
 O'Neill, Yvonne (Ottawa-Rideau L)
 Owen, Bruce (Simcoe Centre L)
Patten, Hon. Richard, Minister of Government
 Services (Ottawa Centre L)
 Pelissero, Harry E. (Lincoln L)
Peterson, Hon. David R., Premier and President
 of the Council and Minister of Intergovernmental
 Affairs (London Centre L)
 Philip, Ed (Etobicoke-Rexdale NDP)
Phillips, Hon. Gerry, Minister of Citizenship
 (Scarborough-Agincourt L)
 Poirier, Jean, Deputy Speaker and Chairman of
 the Committees of the Whole House (Prescott
 and Russell L)
 Pollock, Jim (Hastings-Peterborough PC)
 Polsinelli, Claudio (Yorkview L)
 Poole, Dianne (Eglinton L)
 Pope, Alan W. (Cochrane South PC)
 Pouliot, Gilles (Lake Nipigon NDP)
 Rae, Bob (York South NDP)
Ramsay, Hon. David, Minister of Correctional
 Services (Timiskaming L)
 Ray, Michael C. (Windsor-Walkerville L)
 Reville, David (Riverdale NDP)
 Reyecraft, Douglas R. (Middlesex L)
Riddell, Hon. Jack, Minister of Agriculture and
 Food (Huron L)
 Roberts, Marietta L. D., Deputy Chairman of the
 Committees of the Whole House (Elgin L)
 Runciman, Robert W. (Leeds-Grenville PC)
 Ruprecht, Tony (Parkdale L)
Scott, Hon. Ian G., Attorney General
 (St. George-St. David L)
 Smith, David W. (Lambton L)
Smith, Hon. E. Joan, Solicitor General
 (London South L)
 Sola, John (Mississauga East L)
Sorbara, Hon. Gregory S., Minister of Labour
 (York Centre L)
 South, Larry (Frontenac-Addington L)

Sterling, Norman W. (Carleton PC)
 Stoner, Norah (Durham West L)
 Sullivan, Barbara (Halton Centre L)
 Swart, Mel (Welland-Thorold NDP)
Sweeney, Hon. John, Minister of Community
 and Social Services (Kitchener-Wilmot L)
 Tatham, Charlie (Oxford L)
 Velshi, Murad (Don Mills L)
 Villeneuve, Noble (Stormont, Dundas and Glen-
 garry PC)
Ward, Hon. Christopher C., Minister of
 Education (Wentworth North L)
 Wildman, Bud (Algoma NDP)
Wilson, Hon. Mavis, Minister without Portfolio
 (Dufferin-Peel L)
 Wiseman, Douglas J. (Lanark-Renfrew PC)
Wong, Hon. Robert C., Minister of Energy
 (Fort York L)
Wrye, Hon. William, Minister of Consumer and
 Commercial Relations (Windsor-Sandwich L)

EXECUTIVE COUNCIL

Peterson, Hon. David R., Premier and President
 of the Council and Minister of Intergovernmental
 Affairs
 Nixon, Hon. Robert F., Deputy Premier, Treas-
 urer of Ontario and Minister of Economics
 and Minister of Financial Institutions
 Conway, Hon. Sean G., Minister of Mines
 Bradley, Hon. James J., Minister of the Environ-
 ment
 Scott, Hon. Ian G., Attorney General
 Riddell, Hon. Jack, Minister of Agriculture and
 Food
 Eakins, Hon. John F., Minister of Municipal
 Affairs
 Kerrio, Hon. Vincent G., Minister of Natural
 Resources
 O'Neil, Hon. Hugh P., Minister of Tourism and
 Recreation
 Sweeney, Hon. John, Minister of Community
 and Social Services
 Elston, Hon. Murray J., Chairman of the
 Management Board of Cabinet
 Wrye, Hon. William, Minister of Consumer and
 Commercial Relations
 Grandmaitre, Hon. Bernard C., Minister of
 Revenue
 Curling, Hon. Alvin, Minister of Skills Develop-
 ment
 Fulton, Hon. Ed, Minister of Transportation
 Kwinter, Hon. Monte, Minister of Industry,
 Trade and Technology
 Oddie Munro, Hon. Lily, Minister of Culture
 and Communications

Sorbara, Hon. Gregory S., Minister of Labour
 Caplan, Hon. Elinor, Minister of Health
 Fontaine, Hon. René, Minister of Northern Development
 Ramsay, Hon. David, Minister of Correctional Services
 Smith, Hon. E. Joan, Solicitor General
 Ward, Hon. Christopher C., Minister of Education
 Hošek, Hon. Chaviva, Minister of Housing
 McLeod, Hon. Lyn, Minister of Colleges and Universities
 Patten, Hon. Richard, Minister of Government Services
 Phillips, Hon. Gerry, Minister of Citizenship
 Wong, Hon. Robert C., Minister of Energy
 Mancini, Hon. Remo, Minister without Portfolio
 Wilson, Hon. Mavis, Minister without Portfolio

PARLIAMENTARY ASSISTANTS

Bossy, Maurice L.: assistant to the Minister of Housing (Chatham-Kent L)
 Campbell, Sterling: assistant to the Minister of Mines (Sudbury L)
 Chiarelli, Robert: assistant to the Chairman of the Management Board of Cabinet (Ottawa West L)
 Collins, Shirley (Ms.): assistant to the Minister of Labour (Wentworth East L)
 Cordiano, Joseph: assistant to the Minister of Intergovernmental Affairs (Lawrence L)
 Ferraro, Rick E.: assistant to the Minister of Industry, Trade and Technology (Guelph L)
 Haggerty, Ray: assistant to the Minister of Consumer and Commercial Relations (Niagara South L)
 Hart, Christine E. (Ms.): assistant to the Minister of the Environment (York East L)
 Henderson, D. James: assistant to the Minister of Colleges and Universities (Etobicoke-Humber L)
 Kanter, Ron: assistant to the Solicitor General (St. Andrew-St. Patrick L)
 Keyes, Kenneth A.: assistant to the Minister of Health (Kingston and The Islands L)
 Kozyra, Taras B.: assistant to the Minister of Northern Development (Port Arthur L)
 Lupusella, Tony: assistant to the Minister of Transportation (Dovercourt L)
 McGuigan, James F.: assistant to the Minister of Natural Resources (Essex-Kent L)
 Miller, Gordon I.: assistant to the Minister of Agriculture and Food (Norfolk L)
 Morin, Gilles E.: assistant to the Minister of Community and Social Services (Carleton East L)

Neumann, David E.: assistant to the Minister of Municipal Affairs (Brantford L)
 Nixon, J. Bradford: assistant to the Minister of Financial Institutions (York Mills L)
 Offer, Steven: assistant to the Attorney General (Mississauga North L)
 O'Neill, Yvonne (Mrs.): assistant to the Minister of Education (Ottawa-Rideau L)
 Pelissero, Harry E.: assistant to the Minister of Tourism and Recreation (Lincoln L)
 Polsinelli, Claudio: assistant to the Minister of Treasury and Economics (Yorkview L)
 Ruprecht, Tony: assistant to the Minister of Citizenship (Parkdale L)

STANDING COMMITTEES

Administration of justice: chairman, Mr. Callahan; vice-chairman, Ms. Hart; members, Messrs. Chiarelli, Cureatz, Hampton, Kanter, Keyes, Philip, Ms. Poole, Messrs. Sola and Sterling; clerk, Deborah Deller.

Finance and economic affairs: chairman, Mr. D. R. Cooke; vice-chairman, Mr. Ferraro; members, Messrs. Haggerty, Kozyra, Mackenzie, McCague, Morin-Strom, Neumann, J. B. Nixon, Pelissero and Villeneuve; clerk, Todd Decker.

General government: chairman, Mrs. Stoner; vice-chairman, Mr. Mahoney; members, Mr. Black, Ms. Bryden, Messrs. Charlton, Daigeler, Mrs. Marland, Messrs. Matrundola, McLean, Owen and M. C. Ray; clerk, Franco Carrozza.

Government agencies: chairman, Mr. McLean; vice-chairman, Mr. Jackson; members, Messrs. Black, Breaugh, Dietsch, Furlong, Lipsett, Miss Martel, Messrs. Runciman, South and Velshi; clerk, Deborah Deller.

Legislative Assembly: chairman, Mr. Epp; vice-chairman, Mr. Morin; members, Messrs. Breaugh, Cordiano, Faubert, Hampton, J. M. Johnson, McClelland, Polsinelli, Sterling and Mrs. Sullivan; clerk, Smirle Forsyth.

Ombudsman: chairman, Miss Nicholas; vice-chairman, Mr. Elliot; members, Mr. Bossy, Ms. Bryden, Messrs. Carrothers, Elliot, Henderson, Lupusella, MacDonald, Mackenzie, McLean, Miss Nicholas, Mr. Pollock; clerk, Franco Carrozza.

Public accounts: chairman, Mr. Philip; vice-chairman, Mr. Pouliot; members, Messrs. Ballinger, Carrothers, Dietsch, Mrs. Fawcett, Miss Martel, Messrs. Offer, Pope, Runciman and Smith; clerk, Douglas Arnott.

Regulations and private bills: chairman, Mr. Fleet; vice-chairman, Mr. Beer; members, Mr.

Cleary, Mrs. Fawcett, Messrs. McCague, Pollock, Pouliot, Ruprecht, Smith, Sola and Swart; clerk, Tannis Manikel.

Resources development: chairman, Mr. Laughren; vice-chairman, Mr. Wildman; members, Mr. Brown, Ms. Collins, Mr. Leone, Mrs. Marland, Messrs. McGuigan, Miclash, Miller, Pouliot and Wiseman; clerk, Lynn Mellor.

Social development: chairman, Mr. Adams; vice-chairman, Mrs. LeBourdais; members, Messrs. Allen, Campbell, Cousens, Jackson, R. F. Johnston, McClelland, McGuinty, Mrs. O'Neill and Mr. Tatham; clerk, Todd Decker.

SELECT COMMITTEES

Constitutional reform: chairman, Mr. Beer; vice-chairman, Miss Roberts; members, Messrs. Allen, Breaugh, Cordiano, Elliot, Eves, Mrs.

Fawcett, Messrs. Harris, Morin and Offer; clerk, Deborah Deller.

Education: chairman, Ms. Poole; vice-chairman, Mr. Reycraft; members, Messrs. D. S. Cooke, Furlong, Jackson, R. F. Johnston, Keyes, Mahoney, Miclash, Mrs. O'Neill and Mr. Villeneuve; clerk, Lynn Mellor.

Energy: chairman, Mr. Carrothers; vice-chairman, Mr. McGuigan; members, Messrs. Brown, Charlton, Cureatz, Mrs. Grier, Messrs. Matrundola, M. C. Ray, Runciman, South and Mrs. Sullivan; clerk, Tannis Manikel.

*The alphabetical list of members appears in each issue. The other lists, brought up to date as necessary, are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

CONTENTS

Wednesday, June 29, 1988

Report by committee/Rapport émanant d'un comité parlementaire

Select committee on constitutional reform , Mr. Beer, Mrs. Fawcett, Mr. Laughren, Mr. McLean, Hon. Mr. Phillips, Mr. South, Mr. McGuigan, Mr. McGuinty, Mr. Sterling, Mr. Cordiano, Mr. Poirier, Mr. Eves, Mr. Breaugh, Hon. Mr. Scott, vote deferred	4797
Comité spécial de la réforme constitutionnelle , M. Beer, M. Poirier, report du vote	4797

Members' statements

Liberal Party fund-raising , Mr. Swart	4826
Community safety , Mrs. Cunningham	4826
All-terrain vehicles , Mr. McGuigan	4826
Canadian Armenian Centennial Gala Reunion Picnic , Mr. Farnan	4827
Summer events in Orillia , Mr. McLean	4827
Workers' compensation , Mr. Faubert	4827
Retail store hours , Mr. Philip	4828

Statements by the ministry

Water transfer control , Hon. Mr. Kerrio	4828
Conservation authorities , Hon. Mr. Kerrio	4828
Cancer treatment , Hon. Mrs. Caplan	4829
Intervener funding , Hon. Mr. Scott	4830
University funding , Hon. Mrs. McLeod	4830

Responses

University funding , Mr. R. F. Johnston	4831
Conservation authorities , Mr. Wildman	4831
Water transfer control , Mr. Wildman	4831
Intervener funding , Mrs. Grier	4831
Cancer treatment , Mr. B. Rae	4831
Conservation authorities , Mr. Pollock	4832
Water transfer control , Mr. Pope	4832

Oral questions

Ontario Automobile Insurance Board , Mr. Swart, Hon. R. F. Nixon	4833
Nursing services , Mr. B. Rae, Hon. Mrs. Caplan	4834
Water transfer control , Mr. Brandt, Hon. Mr. Peterson	4836
School accommodation , Mr. Jackson, Hon. Mr. Ward	4837
Temagami district resources , Mr. Laughren, Hon. Mr. Kerrio	4838
Provincial fragrance , Mr. Harris, Hon. Mr. Peterson	4839
Food prices , Mr. Kozyra, Hon. Mr. Wrye	4839
Ontario legal aid plan , Mr. Hampton, Hon. Mr. Scott	4840
Hospital services , Mr. J. M. Johnson, Hon. Mrs. Caplan	4841
Access fund , Mr. McGuinty, Hon. Mr. Mancini	4841
Niagara Escarpment Commission , Mrs. Grier, Hon. Mr. Elston	4842
Ontario family farm interest rate reduction program , Mr. Villeneuve, Hon. Mr. Riddell	4843

Ambulatory care centre, Ms. Collins, Hon. Mrs. Caplan	4843
Northern Ontario universities, Mr. Morin-Strom, Hon. Mrs. McLeod	4844

Petitions

Cambridge Memorial Hospital, Mr. Farnan, tabled	4845
Tenants' advocates, Mr. B. Rae, tabled	4845
Retail store hours, Mrs. Cunningham, tabled	4845
Community centre, Ms. Poole, tabled	4845
Retail store hours, Mr. Callahan, Miss Martel, tabled	4846
Teachers' superannuation fund, Mr. Laughren, tabled	4846
Retail store hours, Mr. Laughren, tabled	4846

Reports by committees

Standing committee on public accounts, Mr. Philip, adjourned	4846
Standing committee on regulations and private bills, Mr. Fleet, agreed to	4847

First readings/Première lecture

Intervenor Funding Project Act, Bill 174, Hon. Mr. Scott, agreed to	4847
Loi sur le projet d'aide financière aux intervenants, projet de loi 174, l'hon. M. Scott, adoption du projet de loi en première lecture	4847
Water Transfer Control Act, Bill 175, Hon. Mr. Kerrio, agreed to	4847
Rockton Winter Club Inc. Act, Bill Pr42, Mr. Elliot, agreed to	4847
Employment Standards Amendment Act, Bill 176, Mr. Kanter, agreed to	4847

Government motion/Motion émanant du gouvernement

1987 constitutional accord, resolution 6, Hon. Mr. Peterson, Mr. Brandt, Mr. B. Rae, adjourned	4848
Accord constitutionnel de 1987, résolution 6, l'hon. M. Peterson, M. B. Rae, ajournement du débat	4848

Report by committee/Rapport émanant d'un comité parlementaire

Select committee on constitutional reform, Mr. Beer, agreed to	4859
Comité spécial de la réforme constitutionnelle, M. Beer, adoption du rapport	4859

Government motion/Motion émanant du gouvernement

1987 constitutional accord, resolution 6, Hon. Mr. Peterson, agreed to	4859
Accord constitutionnel de 1987, résolution 6, l'hon. M. Peterson, adoption de la motion	4859
Conflict of Interest Commissioner, resolution 14, Hon. Mr. Conway, Mr. B. Rae, Mr. Pope, Hon. Mr. Scott, agreed to	4860

Second reading

Wine Content Act, Bill 167, Hon. Mr. Wrye, Mr. Swart, Mr. Harris, Mr. McGuigan, Mr. Villeneuve, agreed to	4861
--	------

Third reading

Wine Content Act, Bill 167, Hon. Mr. Wrye, agreed to	4871
---	------

Motion

House sitting, Hon. Mr. Conway, agreed to	4871
--	------

Government motions/Motion émanant du gouvernement

Interim supply, resolution 12, Hon. R. F. Nixon, Mr. Harris, Mr. Laughren, Mr. Pope, Mr. Sterling, Mr. Pouliot, agreed to	4871
--	------

Crédits provisoires, résolution 12, l'hon. R. F. Nixon, M. Runciman, adoption de la motion	4871
Committee sittings, resolution 13, Hon. Mr. Conway, agreed to	4876

Motions

Committee substitutions, Hon. Mr. Conway, agreed to	4876
Committee sittings, Hon. Mr. Conway, agreed to	4877

Third readings/Troisième lecture

Execution Amendment Act, Bill 6, Hon. Mr. Scott, agreed to	4877
Motor Vehicle Repair Act, Bill 22, Hon. Mr. Wrye, agreed to	4877
Prepaid Services Act, Bill 26, Hon. Mr. Wrye, agreed to	4877
Consumer Reporting Amendment Act, Bill 52, Hon. Mr. Wrye, agreed to	4877
Conservation Land Act, Bill 68, Hon. Mr. Kerrio, agreed to	4877
Corporations Tax Amendment Act, Bill 84, Hon. Mr. Grandmaître, agreed to	4877
Mining Tax Amendment Act, Bill 85, Hon. Mr. Grandmaître, agreed to	4877
Highway Traffic Amendment Act, Bill 86, Hon. Mr. Fulton, agreed to	4877
International Sale of Goods Act, Bill 90, Hon. Mr. Scott, agreed to	4877
Loi sur la vente internationale de marchandises, projet de loi 90, l'hon. M. Scott, adoption du projet de loi en troisième lecture	4877
Education Amendment Act, Bill 100, Hon. Mr. Ward, agreed to	4877
Ottawa-Carleton French-Language School Board Act, Bill 109, Hon. Mr. Ward, agreed to	4877
Loi sur le Conseil scolaire de langue française d'Ottawa-Carleton, projet de loi 109, l'hon. M. Ward, adoption du projet de loi en troisième lecture	4877
Mining Amendment Act, Bill 132, Hon. Mr. Conway, agreed to	4877
Gasoline Handling Amendment Act, Bill 133, Hon. Mr. Wrye, agreed to	4877
Public Lands Amendment Act, Bill 137, Hon. Mr. Kerrio, agreed to	4877
Weed Control Act, Bill 138, Hon. Mr. Riddell, agreed to	4877
Loi sur la destruction des mauvaises herbes, projet de loi 138, l'hon. M. Riddell, adoption du projet de loi en troisième lecture	4877
Metropolitan Toronto Convention Centre Corporation Act, Bill 141, Hon. Mr. O'Neil, agreed to	4877
Ottawa Congress Centre Act, Bill 142, Hon. Mr. O'Neil, agreed to	4877
Loi sur le Centre des congrès d'Ottawa, projet de loi 142, l'hon. M. O'Neil, adoption du projet de loi en troisième lecture	4877
Environment Statute Law Amendment Act, Bill 148, Hon. Mr. Bradley, agreed to	4877
Pits and Quarries Control Amendment Act, Bill 153, Hon. Mr. Kerrio, agreed to	4877
Municipal Extra-Territorial Tax Act, Bill 159, Hon. Mr. Eakins, Mr. Laughren, agreed to	4877

Second readings

City of Toronto Act, Bill Pr16, Mr. Kanter, agreed to	4878
Town of Markham Act, Bill Pr20, Mr. Cousens, agreed to	4878
Vic Johnston Community Centre Inc. Act, Bill Pr33, Mr. Offer, agreed to	4878
Primrock Mining and Exploration Limited Act, Bill Pr35, Mr. Henderson, agreed to	4878
County of Simcoe Act, Bill Pr41, Mr. Black, agreed to	4878
Moravian Temple Corporation Act, Bill Pr44, Mr. Reycraft, agreed to	4878
Owen Sound Young Men's and Young Women's Christian Association Act, Bill Pr45, Mr. Lipsett, agreed to	4878
Brockville Rowing Club Incorporation Act, Bill Pr46, Mr. Runciman, agreed to	4878
Peterborough Civic Hospital Act, Bill Pr47, Mr. Adams, agreed to	4878

Gottscheer Relief Association Act , Bill Pr50, Mr. McCague, agreed to	4878
Incorporated Synod of the Diocese of Huron Act , Bill Pr51, Mrs. Cunningham, agreed to	4878
City of Etobicoke Act , Bill Pr52, Mr. Henderson, agreed to	4878
City of North York Act , Bill Pr58, Mr. Polsinelli, agreed to	4879
Lebon Gold Mines Limited Act , Bill Pr49, Mr. Kanter, agreed to	4879
329931 Ontario Limited Act , Bill Pr72, Mr. Black, agreed to	4879

Third readings

City of Toronto Act , Bill Pr16, Mr. Kanter, agreed to	4878
Town of Markham Act , Bill Pr20, Mr. Cousens, agreed to	4878
Vic Johnston Community Centre Inc. Act , Bill Pr33, Mr. Offer, agreed to	4878
Primrock Mining and Exploration Limited Act , Bill Pr35, Mr. Henderson, agreed to ..	4878
County of Simcoe Act , Bill Pr41, Mr. Black, agreed to	4878
Moravian Temple Corporation Act , Bill Pr44, Mr. Reycraft, agreed to	4878
Owen Sound Young Men's and Young Women's Christian Association Act , Bill Pr45, Mr. Lipsett, agreed to	4878
Brockville Rowing Club Incorporation Act , Bill Pr46, Mr. Runciman, agreed to	4878
Peterborough Civic Hospital Act , Bill Pr47, Mr. Adams, agreed to	4878
Gottscheer Relief Association Act , Bill Pr50, Mr. McCague, agreed to	4878
Incorporated Synod of the Diocese of Huron Act , Bill Pr51, Mrs. Cunningham, agreed to ..	4878
City of Etobicoke Act , Bill Pr52, Mr. Henderson, agreed to	4878
City of North York Act , Bill Pr58, Mr. Polsinelli, agreed to	4879
Lebon Gold Mines Limited Act , Bill Pr49, Mr. Kanter, agreed to	4879
329931 Ontario Limited Act , Bill Pr72, Mr. Black, agreed to	4879

Royal assent

The Honourable the Lieutenant Governor	4879
--	------

Motion

Adjournment	4880
--------------------------	------

Answers to questions in Orders and Notices

Trade with United States , questions 80, 81, 82 and 85, Mr. Brandt, Hon. Mr. Kwinter ..	4881
Summer Experience program , question 104, Mrs. Cunningham, Hon. Mr. Curling	4883
Nursing homes , question 128, Mr. Cousens, Hon. Mrs. Caplan	4883
GO Transit parking tickets , questions 326 and 327, Mr. Jackson, Hon. Mr. Fulton	4883
Interim answer , question 112	4884

Responses to petitions/Réponse à une pétition

Retail store hours , sessional paper P-7, Hon. Mrs. Smith	4884
Drinking and driving , sessional paper P-21, Hon. Mr. Scott	4884
Interim response , sessional paper P-22	4884
Réponse provisoire , Document parlementaire P-22	4884

Other business

Recess	4825
Visitor , Mr. Speaker, Mr. B. Rae	4833
Polls , Mr. B. Rae, Mr. Speaker	4833
Madawaska trust park , Hon. Mr. Kerrio	4846
Adjournment	4880

Alphabetical list of members	4885
Executive council	4886
Parliamentary assistants	4887
Members of standing and select committees	4887



No. 88

Hansard

Official Report of Debates

Legislative Assembly of Ontario

First Session, 34th Parliament

Monday, October 17, 1988



Speaker: Honourable Hugh A. Edighoffer
Clerk of the House: Claude L. DesRosiers

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario. Lists of members of the executive council and parliamentary assistants also appear at the back, along with the memberships of committees.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$16.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Monday, October 17, 1988

The House met at 1:30 p.m.

Prayers.

LEGISLATIVE PAGES

Mr. Speaker: I would like to ask all members to join me in welcoming the first group of legislative pages to serve in the fall session of the 34th Parliament, 1988. They are:

Jeffrey Bakker, St. Catharines; Colin Baryluk, York North; Elie Basch, Markham; Zia Bismilla, Scarborough-Ellesmere; Carolyn Boyer, Renfrew North; James Campbell, Oxford; Gianpiero Cognoli, Downsview; Darcy DeMarsico, Ottawa South; Stephanie Dunthorne, Durham-York; Shelagh Freedman, Scarborough East; Sherri Gaertner, London North; Matthew Gallinger, York Centre; James Gravelle, Windsor-Sandwich; Christina Gural, High Park-Swansea; Zoe Janzen, Wellington; Katrina Kam, Hamilton West; Andrew Nelson, Mississauga East; Tom Ormiston, Kenora; Maxim Panitch, Fort York; Paul Peer, Sault Ste. Marie; Christine Philpot, Hamilton Mountain; Adrianna Smart, Nepean; Jayshree Soni, York South, and Kyle Wilcox, Brampton North.

Please join me in welcoming our new group of pages.

I have one or two other points of information.

WRIT OF ELECTION

Mr. Speaker: I beg to inform the House that during the summer adjournment, a vacancy occurred in the membership of the House by reason of the resignation of Mel Swart, Esq., as member for the electoral district of Welland-Thorold effective 11:59 p.m., Thursday, June 30, 1988. Accordingly, my warrant has been issued to the chief election officer for the issue of a writ for a by-election.

COMMISSION ON ELECTION FINANCES

Mr. Speaker: I also wish to inform the House that today I have laid upon the table the 13th annual report of the Commission on Election Finances for the year 1987.

CONSTITUTIONAL REFORM

Mr. Speaker: I also wish to inform the House that the Clerk has received from the Clerk

Assistant of the Senate of Canada a copy of a resolution to amend the Constitution of Canada adopted by the Senate on April 21, 1988.

MEMBERS' STATEMENTS

CHILD POVERTY

Mr. Allen: As we take up our work in this Legislature, the first thing we need to be reminded of is the appalling evidence of child poverty in David Peterson's Ontario. Among dependants of working poor families there are close to half a million poor children.

The odds are stacked against them at birth. They are more likely to die as babies, and as children they are more likely to have fatal accidents. They are twice as likely to get leukaemia and twice as likely to die from it. They are far more likely to suffer from pneumonia, anaemia, tooth decay, ear infections, retardation and learning disabilities.

A Hamilton study tells us that boys in welfare families have a 40 per cent rate of psychiatric disorder and girls have a 27.8 per cent poor school performance. Low-income young people drop out of school more often and end up more frequently unemployed or in low-wage, dead-end jobs. Even the bright ones rule out further schooling because they assume they cannot afford it.

Toronto children's aid society statistics tell us that, by far, the largest part of the intake of children at risk comes from poor families. Child poverty takes an immense toll of persons, and the costs are enormous in social programs and wasted potential.

I challenge this government to tackle child poverty at its root, to begin immediately on George Thomson's proposal of a children's benefit and to institute a comprehensive strategy to get all children off to an equal start.

JEAN-FRANÇOIS AUBÉ

M. Pope: C'est avec énormément de regret que j'ai appris le décès de Jean-François Aubé, survenu le 9 octobre dernier. M. Aubé s'est dévoué corps et âme à la cause francophone en Ontario. Il a été l'un des membres fondateurs de l'Association des juristes d'expression française de l'Ontario.

Au moment de son décès, il était membre de la Commission des services en français de l'Ontario. Il fut également conseiller à l'Association canadienne-française de l'Ontario et au Conseil scolaire de Timmins, directeur du Conseil ontarien des conseillers scolaires et conseiller scolaire du Conseil des écoles séparées catholiques de Timmins, et il a siégé également au Comité consultatif de langue française de TVOntario, en plus d'être l'hôte de l'émission «C'est ton droit» au réseau de TVOntario.

Le décès de Jean-François touchera bon nombre de personnes. On se souviendra de Jean-François comme étant un pionnier au sein de la communauté francophone.

Au nom de mon parti, et en mon nom personnel, je désire offrir nos plus sincères condoléances à Andrea Aubé, à son père, à ses frères et à sa soeur.

We wish to express our condolences with the passage of Jean-François Aubé, who contributed enormously to the political life of Ontario.

PERSONS DAY

Mrs. Sullivan: Tomorrow is the 59th anniversary of Persons Day, and that is indeed a time for celebration. Persons Day marks a significant milestone in Canadian history, the day women become persons in the eyes of the law.

Six decades ago, not that long a time, the Supreme Court of Canada ruled that only men were persons. Magistrate Emily Murphy and four other courageous Canadian women took their case to the judicial committee of the Privy Council in London, England, and on October 18, 1929, Canadian women were given the legal right to be people. Not until then were they eligible for appointments to the Senate.

Persons Day reminds us of the tremendous changes that have taken place in our society since then. The changing role of women is one of the most dramatic social changes witnessed in this century. Women's achievements have caused us to re-examine the roles each of us, both women and men, play in our society. We are shifting from a sense of personal struggle to a concept of responsibility within the larger community. This government is committed to women's equal participation in society and to supplying the supports necessary so that each and every Ontario woman can participate to whatever degree she chooses in all functions of society.

Please join me in marking this occasion.

1340

INCO LTD.

Mr. Laughren: A couple of weeks ago, the Minister of Industry, Trade and Technology (Mr.

Kwinter) rode into Sudbury and handed over a \$2.81-million cheque to Inco Ltd. to do some research on mining methods.

At the same time the minister was handing over almost \$3 million to Inco, Inco was announcing a \$1-billion program to feed back into itself in order to avoid a hostile takeover. The \$1 billion that Inco is going to spend on itself would create no jobs, no money for exploration and development, no more money for acid rain improvements, no improvements for health and safety, or wages and benefits or pensions for its ex-employees.

At the same time the minister was handing that \$2.81 million to Inco, Inco was getting the word that it had just won a couple of assessment appeals through the province's assessment review court to the tune of \$239,000 for 1987 and \$248,000 for 1988, and there is more to come.

This is the same year that Inco is going to net about \$500 million, and this minister thinks he has to hand over almost \$3 million to it. It is truly remarkable. Surely to goodness that has nothing to do with the free enterprise system. That is simply self-indulgent and incestuous enterprise.

LANDFILL SITE

Mr. McLean: My statement is directed at the Minister of Agriculture and Food (Mr. Riddell) and his colleague the Minister of the Environment (Mr. Bradley). I would like to point out one more example of this government's lack of leadership and the conflicting opinions and views held by many of the government's ministers.

The Midland Free Press and the Midland Times newspapers carried stories in September about the Minister of Agriculture and Food's opposition to using site 41 in Tiny township as a new landfill site. This site is also opposed by Tiny township council, neighbouring residents and several tourism facilities, but the same site has the backing of the North Simcoe Waste Management Association and the Ministry of the Environment.

This clearly shows that these two ministers cannot get together and work together to solve an extremely serious problem that is affecting people in North Simcoe and throughout the rest of Ontario. Rather than showing leadership, rather than working together for a common cause and rather than solving a critical problem in this province, these ministers are ducking the issue and they are sweeping the problem under the rug. When is the government going to show some leadership and solve the garbage crisis in this province?

HOSPICE PETERBOROUGH

Mr. Adams: Hospice Peterborough is an independent agency which helps terminally ill people live at home as fully and comfortably as possible until they die. It also provides a support system for the grieving family. It is composed of a board, a part-time director and a dozen trained volunteers.

Hospice Peterborough's goal is to enhance the quality of life for the terminally ill and their families. The workplace is the client's home. The agency offers an assessment of the needs of the client and family, emphasizing coping with pain and symptoms of the disease. At the same time, Hospice Peterborough co-ordinates services available in the community. It works with health care professionals, Red Cross homemakers, Meals on Wheels, the Victorian Order of Nurses and other services. Its entire budget is considerably less than the cost of hospitalization of one terminally ill person.

Hospice Peterborough feels that its goal of keeping people at home enjoying a richer and happier life while reducing the burden on health care resources more than justifies its calls for financial assistance. The hospice receives 70 per cent funding from the Ministry of Community and Social Services, the remainder from the United Way and donations. There is much to be done. The only paid staff member needs help. Equipment is needed to help the clients. Services must be extended around the clock.

Mr. Speaker: The member's time has expired.

The member for Beaches-Woodbine, for 42 seconds.

HOMES FOR THE AGED AND NURSING HOMES

Ms. Bryden: During the heat wave last summer, it was reported in the press that there had been about 20 deaths in homes for the aged and nursing homes in the Metro area. It was suggested that the heat could have been a contributing factor.

A coroner's inquest was held to determine the cause of death and to produce recommendations whether the heat had anything to do with it. They recommended last week that the province develop a province-wide emergency plan at homes for the elderly during intense heat waves.

I would like to ask the minister, when will she bring that sort of plan to this Legislature?

RETAIL STORE HOURS

Mr. Philip: On a point of privilege, Mr. Speaker: I believe members of this Legislature

have had their privileges abused by the Solicitor General (Mrs. Smith).

The Solicitor General circulated information concerning Sunday shopping to some members, a package that contained an alleged study conducted by Clayton Research Associates of Toronto and entitled *The Impact of Sunday Shopping in Alberta*.

The clear intention of that package was to discredit arguments against Bill 113 and Bill 114. No such study exists; there is no such study. I ask that the minister apologize to the members of the House and to the public for this obvious deception.

Mr. Speaker: I listened carefully to the member rising on a point of privilege. At the end of his statement, the member asked a question. I suggest that he continue and ask that question at the appropriate time.

VISITOR

Mr. Speaker: I would like to ask all members of the assembly to recognize in the Speaker's gallery, from Barbados, the Minister of Employment, Labour Relations and Community Development, the Honourable Keith Simmons. Please join me in welcoming the minister.

Hon. Mr. Conway: I would like to ask for unanimous consent so the House can observe the passing of our former colleague the member for Durham North, who was the former Minister of Agriculture and Food, and the late Vic Copps, the mayor of Hamilton.

Agreed to.

WILLIAM NEWMAN

Mr. Sterling: It was with deep regret that we learned of the death Wednesday, October 12, of Bill Newman, a former Ontario cabinet minister and former member for Durham North.

Members will know that Bill Newman was first elected to this Legislature in 1967 for the riding of Ontario South. When the electoral boundaries were changed in 1975, he won the seat in the new riding of Durham North. He was appointed Minister of the Environment in 1974, and later that year he warned Metro that it would have to look to alternatives to dumping its garbage in Ajax and Pickering. He was appointed Minister of Agriculture and Food in October 1975.

Advised by his doctor to take things easy after a heart attack in 1979, he did not run in our 1981 general election. Instead, he returned to farming his acreage in Balsam, Ontario, where the pace of living and working was much more relaxed. In

1981, he was appointed to the Liquor Control Board of Ontario on a part-time basis. In 1985, he was named to the committee set up to study the best use of the Pickering airport land.

Before his election to the Legislature he served as a councillor, deputy reeve and reeve of the township of Pickering. At the time Bill was elected as reeve of the township of Pickering, he was the youngest ever to be elected to that position.

Bill was known around this Legislature as being a straight shooter. In fact, Bill was known as being such a straight shooter that he was also known as being one of the poorest card players in all of the Legislature of Ontario. He was unable to bluff any of his opponents and the press gallery soon learned about that.

Bill Newman was a Conservative, and he was proud to be a Conservative. He was a team player and could always be counted on by his colleagues in the Conservative caucus.

1350

Described as bold and blustery by the then leader of the New Democratic Party, Stephen Lewis also recognized that his heart was that of a lamb. Bill Newman cared about people and that was shown by the tremendous turnout of people at a memorial service held this past Saturday in the United Church at Balsam, Ontario.

He was born in Toronto on January 17, 1928, and he was educated at the University of Toronto and the University of Guelph.

Bill enjoyed the last few years of his life around his wife, Molly, his children, Cathy, Carrie, Allan, and especially his three grandchildren, who will miss him in the future.

We extend our sympathy to his family.

Hon. Mr. Riddell: It is with great sadness that we note the passing of William Newman on Wednesday, October 12, 1988. To all who knew him as the member from Ontario South and Durham North, as parliamentary assistant to the Minister of Transportation and Communications, as Minister of the Environment and as Minister of Agriculture and Food, he was a gentleman of integrity who served his constituents and this province well.

Under his guidance as Minister of the Environment, Ontario was given the far-reaching Environmental Assessment Act in 1975, setting the foundation for environmental protection in this province.

During the four years he served as Minister of Agriculture and Food, from 1975 to 1979, at which time I was opposition critic, I gained a

deep respect and admiration for Bill. He was a man who withstood the slings and arrows of politics, a man who showed great leadership and who all the while remained steadfast in his commitment to the farmers of this province.

Bill took the farsighted step of introducing the first food land preservation guidelines in Ontario and was heavily involved in some of the early battles to protect and strengthen our supply management systems. His commitment came from an understanding of farming and a deep love of the land. Although he was raised in Toronto, he pursued an agricultural education at the University of Guelph and spoke proudly of his being the only farmer in his family.

After his retirement from provincial politics in 1981, Bill continued to serve this province as a member of the Liquor Control Board of Ontario and also as an active participant in land use issues.

With his passing, the people of Ontario have lost a friend and a capable leader. In his own words: "My first concern was the people I represented and served. Then, as cabinet minister, there was the knowledge that I was taking part in major decisions that would affect the future of people in this province." We must never forget the wisdom of those words.

May I express, on behalf of the members of this party, our sincere condolences to his wife, Margaret, and his children, Catherine, Allan and Carrie.

William Newman will be missed, but his service to Ontario will not be forgotten.

P. MICHAEL DEWAN

Hon. Mr. Riddell: I would like to take a few moments to pay tribute to a former member of the Legislature and a former Minister of Agriculture for Ontario who passed away July 29, 1988.

With the passing of P. Michael Dewan, Minister of Agriculture from 1937 to 1943, we have lost an important link with our history. Mr. Dewan will be remembered as a minister who played a key role in the co-ordination of the rapid expansion of the agricultural industry during the war years, when farmers provided the food needed for the war effort.

Mr. Dewan presided over the Ontario agricultural industry during an important period in which Ontario farms underwent a technological revolution. Many of the policies he brought in helped set agriculture on a successful course for the next 45 years. The success of our agriculture and food industry today is owed, in great part, to P. Michael Dewan.

On behalf of the members of this party, I express condolences to the Dewan family on its loss.

WILLIAM NEWMAN

Mr. Breagh: For about 30 years, Bill Newman served the people in his area at different levels—at the local level, at the county level and here in the provincial Legislative Assembly. He served them in a neighbouring riding to mine. He is one of the first people I met who was a provincial cabinet minister.

He was not exactly a smooth talker, but he certainly was a straight talker. He was the kind of man you could respect immensely, and you knew you could enter into a full-fledged political argument and give it as hard as you could because you were about to get it back as hard as he could. He believed in what he was doing very strongly. I think democracy works well when the people who are elected to serve believe in their causes, put them forward in a straightforward manner and, when the debate is through, leave with no hard feelings. That was always my experience with Bill Newman, that he did not give an inch, but at the end of the day, when the argument was settled, he did not hold a grudge either.

Locally, I think his hallmark is that he did what each one of us is supposed to do. He served the people whom he represented individually. His reputation as someone who, in our terms, was a constituency worker is immense. Even after he left public life, he continued to try to help people with various problems.

All of the members here know that each day you are confronted with a wide variety of people who have problems with the bureaucracy of any level of government, personal problems and all of that. That is one of the things Bill Newman did well. He would serve as an excellent example for all members here on how to do this job: to do it ferociously when you have to, to do it steadfastly and never to forget that there are people back in your own constituency who need your help.

Bill Newman was not a political friend, but in every other sense of the word he was a friend. He shared on many occasions the different responsibilities that we all have. He set an example as someone who served very well the people who lived around him for a very long period of time. There are not many people who can survive in politics for 30 years. Bill Newman is one of those. He was one of those people who made a distinguished mark on the life of the people around him and on the political landscape of Ontario.

To his family and to all of his friends, I want to join, on behalf of the New Democratic Party, in expressing our sorrow in the loss of Bill Newman; but to all of us who remain here at Queen's Park, there is a memory and an example and a mark that has been set by a man who gave as hard as he could every day of his political life. He will be remembered here.

Mrs. Stoner: My community is in mourning, because it was just present at the memorial service for Bill on the weekend and Bill Newman was our representative, as our reeve and our deputy reeve, as a member of council and as our member of this Legislature.

He was seven years on the councils and was elected to this Legislature in 1967 in the first place, and served on a number of legislative appointments at that time and was eventually appointed to be Minister of the Environment and Minister of Agriculture and Food. Those were most appropriate appointments, because he was always close to the land and he was always sensitive to the needs of the land. As a member of the council and as a member of this Legislature, he leaves great, large footsteps for those of us who follow him.

After leaving provincial politics, he was very active in community issues. He was a member of our local police commission. He was on the federally appointed board studying the best land use for the expropriated airport site in Pickering. He was instrumental just recently in forming a rural area ratepayers' association, and even after he became ill, he still spoke out against Metro Toronto's plans for a landfill site within the community. He had told Metro as far back as 1974 that this was not appropriate.

Bill's commitment to his community earned him a great deal of respect and affection. We always knew that his community came first. His friendships crossed all partisan political boundaries. In a report card on cabinet in 1978, Stephen Lewis said of Bill Newman that underneath the howls, the volume and the verbal velocity, there beats the heart of a lamb, and he was absolutely right; he was loved by his community for his honesty and integrity.

Personally, I have lost a good friend and I know that all of you join me in extending our sympathy to Bill's lovely wife, Molly, and to his children, Cathy, Carrie and Allan, to the grandchildren and also to his three brothers, his sister and 20 nieces and nephews.

I thank you, Mr. Speaker, for the opportunity to express my condolences on Bill Newman to this Legislature today.

1400

VICTOR COPPS

Hon. R. F. Nixon: The citizens of Hamilton and citizens right across Canada were very sorry indeed to hear of the death of Victor Copps over the weekend. He was never a member of this House but all of us here, as people involved in the community and public life in the province, know of his great energy and activity, his success in leading many causes and the example that he set in municipal affairs in the city of Hamilton.

He will be greatly missed there, although, as members know, he has been seriously ill for a number of years, ever since a stroke felled him as he was taking part in an around-the-bay race. It is typical that he would have the energy and the enthusiasm never to think for a moment that he should not even have participated in that at the time.

He and I had been involved in many political incidents. As a matter of fact, we ran for the leadership of the party back in 1964, as the earth was cooling. I was not successful on that occasion but even before that, when he was just beginning to be directly active in the politics of the municipality of Hamilton, he undertook to run against LLOYD D. JACKSON, who happened to be another Liberal and, incidentally, my uncle. I was out working very hard under those circumstances and, once again, let's put it this way, I did not win.

But Vic and I, over those years, became good friends indeed and along with many people here we were impressed with his enthusiasm, his energy and his ability, his belief in the democratic process and his love for the fight, whether it was political or otherwise. There was never an occasion when things cleared up and the storm clouds rolled away when anything had impeded in any way at all his strong feelings of friendship for people on all sides of the political battle. Surely this more than anything else is an earmark of an intelligent politician, a person who understands the system and, in that respect, Vic was an example to everybody here and those interested in public life elsewhere.

His family, as members know, have been involved in politics as well and he has set a great example for them. His wife, Geraldine, had a stellar career as a citizenship judge and was highly respected in all communities. His daughters are both candidates for election to the Parliament of Canada and, without commenting on their prospects, I am sure all of us wish them

and all other candidates who move into this field of public endeavour well.

My own experience is a personal one and I know that Vic was a brave man, a great fighter and almost always successful in his endeavours. He will be missed personally and by the people of his own community.

Mr. Mackenzie: On behalf of my colleagues in the New Democratic Party caucus, I want to convey our sympathy to the Copps family and to say a few words about Victor Copps.

Victor Copps was well respected by all of the citizens of Hamilton. Very few municipal politicians have earned the support and love that he achieved in our community. There were occasional differences but they never negated the respect that people had for Vic and for his commitment to the city of Hamilton.

Victor Copps was elected to the board of control in 1962 and two years later became the mayor of Hamilton and served until his untimely accident in 1976. Vic was a promoter of the first order. He was prepared to defy convention occasionally if it was something that he thought was in the interests of the citizens of Hamilton, as some members will remember from this very chamber when he disagreed with the direction we were taking in terms of regional government and grants to the city of Hamilton.

His cause was always the people of the city of Hamilton. In his 1962 run for mayor of the city of Hamilton, he asked for support of the Hamilton and District Labour Council. Such support is not often given to old party supporters but he got it, almost unanimously, at the meeting and I think it is indicative of the respect which workers accorded him.

His relations with my own union, the United Steel Workers, were always most cordial. They respected his honesty and commitment to Hamilton and appreciated the fact that even when involved in a disagreement, Victor Copps had no partisan comebacks. He was always a gentleman and respectful of the views of others, as hard as he might fight on a specific issue.

He marched proudly in every Labour Day parade in the city of Hamilton, not because it was a political thing to do but because he really believed in the pivotal role that labour played in our particular community. To march alongside Vic with the executive of that labour council and see the way the people called out to him, as I had the privilege of doing on two or three occasions, was an awesome experience. His memory, the number of people he could respond to by name as he marched in that parade, made you wonder just

how far you had to go to match what he had done in terms of respect from the people in Hamilton.

Victor Copps liked to think of himself as the mayor for all the people, and he came as close, I think, as is possible to achieving that goal.

Mr. Jackson: I wish to state as well, with all members of this House, our deep sadness at the passing of a great Ontario public servant. Victor Copps will be remembered by many. He will be remembered particularly by myself. I remember my days as a young boy growing up in the north end of Hamilton and watching his political career. He is remembered best for his love of his family, his very deep love of his city and, of course, his love for a Canadian game which is played very well in Hamilton, thanks to his devotion and commitment.

People seldom realize how deeply devoted he was to the game of football and how much he believed in its role. He clearly made commitments above and beyond what anyone in public life should ever be called upon to do. Just recently, a story surfaced which indicates that he was known one day to go to city hall, but on the way he took his wife, Geraldine, and stopped by the bank right on James Street in Hamilton. They got out and went inside, and Geraldine found that they were putting their house up as collateral to guarantee a loan to make sure that the Canadian Football Hall of Fame would become a reality in this country and a reality in Hamilton. That was the kind of commitment that Victor Copps gave his entire life.

He helped develop the civic name The Ambitious City, and he provided all the dynamics and the vision to make that a reality. The landscape of that city bears very much his sense of direction and his sense of belief in that city.

He had a very common touch and yet he had the ability to lead both within his political party and on national forums. He was an outstanding public servant who will be sadly missed, and we wish to join with all members of this House in expressing our very deep sympathies to the Copps family at this time.

Mr. Speaker: On behalf of all members of the assembly, when Hansard, the official record, is printed, I will make certain that a copy is sent to the Newman, Dewan and Copps families so that they are aware of your words of sympathy.

STATEMENTS BY THE MINISTRY

DRUG ABUSE

Hon. Mr. Peterson: I am very pleased to table in the Legislature today the report of the member

for Muskoka-Georgian Bay (Mr. Black) on illegal drug use in Ontario.

I want to thank the member for Muskoka-Georgian Bay for his excellent work in writing this report. It is action-oriented and it brings forward a number of key recommendations. More important, it provides us with a strategy for responding to this most serious problem.

Combating the use of illegal drugs is an issue which the government views with the highest priority. I will be taking the member's report and recommendations to cabinet this week to ensure that action can be initiated immediately. Specific program responses will be announced by the relevant ministers in the very near future.

As both a legislator and as a parent, I understand the depths of concern in our society about this problem, and I would invite the assistance of all members of the Legislature in pursuing the directions that the member for Muskoka-Georgian Bay has highlighted in the battle against illegal drug use.

1410

APPRENTICESHIP TRAINING

Hon. Mr. Curling: Today I wish to make a statement regarding apprenticeship funding in Ontario.

Since 1944, the government of Canada has funded the full costs of classroom training and income support for all apprentices. The province has been paying the cost of delivering all apprenticeship programs.

Apprenticeship is the most cost-effective training system delivered by any government in this country. As well, apprenticeship provides highly skilled workers for critical industries in our economy.

As members may be aware, for the first time the federal government has unilaterally capped its funding of apprenticeship training. This year the federal government limited its funding in Ontario to \$37 million, a cut from last year's level of \$37.4 million. Increased demand brings the cost of this important training to \$42 million.

This does not only leave a shortfall of \$5 million but, more important, it leaves 5,000 apprentices and 3,000 employers throughout the province discouraged and frustrated.

Critical trades in construction and industry will be hardest hit, trades in which employers are already experiencing shortages of skilled labour, trades that are vital to our economy at a time when the provincial economy is strong.

The government of Ontario is not prepared to stand by and see the apprenticeship system

eroded by the federal government. We cannot allow apprenticeship training, which is based on real labour market demands, to be delayed.

Therefore, the government of Ontario will make up this shortfall. We are committing \$5 million to ensure that 5,000 apprentices who were expecting to take in-school training in their chosen trade receive that training. This does not mean that we are assuming responsibility for an area of federal jurisdiction. We will vigorously pursue the federal government to recover these costs.

The labour market adjustment challenge facing Ontario has never been greater. Changing demographics, international markets and technological innovations all have significant implications for labour market policies.

Against this backdrop, the federal government is pursuing policies that will further accelerate these adjustment pressures: Ottawa's initiative to drastically alter our trading relationship with the United States.

At the same time, the federal government is cutting back its support for labour adjustment programs.

Since 1984-85, federal funding for training and employment development has been reduced by more than \$500 million, from \$2.2 billion to \$1.6 billion in the current year, a drop of 27 per cent. In Ontario, federal funding has dropped from \$552 million in 1984-85 to \$375 million this year, a 32 per cent decrease.

Apprenticeship is just the most recent victim.

In contrast, Ontario has almost doubled its spending on training from \$133 million in 1984-85 to \$264 million in 1988-89.

We are working to ensure that apprentices and employers who depend on this program will not be held in a state of uncertainty over government commitments to apprenticeship in the future.

Notwithstanding our current difficulties in this and other areas, we remain committed to building a strong training system in partnership with the federal government. We will continue to negotiate with the federal government to renew its commitment to a growing and flexible apprenticeship system.

A strong apprenticeship system is vital to the Ontario economy as we move into the 1990s and beyond. We face rapid technological change, skills shortages and tough international competition. Apprenticeship is an absolute necessity in meeting this challenge.

We must be sure that Ontario has the skilled workforce it needs to compete successfully in a

rapidly changing international marketplace. Apprenticeship training is critical to this success.

1988 OLYMPIC SUMMER GAMES

Hon. Mr. O'Neil: At the Seoul Summer Olympic Games, 169 young men and women from Ontario competed as part of the Canadian team. I was proud to be there with them, to cheer their efforts, to visit with them at the athletes' village and to witness their pride on the winners' stand while our national anthem was played.

During the past few weeks, a great deal of attention has been focused on only part of the Seoul Olympics story. This afternoon, I would like to broaden that focus.

Ontario athletes comprised 45 per cent of the Canadian Olympic team—a number in excess of Ontario's percentage of Canadian population. Ontarians won three individual medals and were a part of four team-medal victories.

Lennox Lewis of Kitchener was the first Canadian boxer to win a gold medal in the superheavyweight category. It has been 56 years since a Canadian won a gold medal in boxing, and that was Toronto's Horace Lefty Gwynne.

Also in boxing, Egerton Marcus of Toronto won the silver medal in the middleweight category—quite an accomplishment in view of the fact that Mr. Marcus competed with a fracture in his hand.

The other medallists include Victor Davis of Waterloo and Sandy Goss of Toronto, members of the men's 400-medley relay swimming team, silver medal.

Lori Melien of Whitby, Allison Higson of Brampton and Jane Kerr of Mississauga, members of the women's 400-medley relay swimming team, bronze medal.

Cynthia Ishoy of King, Eva Marie Pracht of Cedar Valley and Ashley Nicoll of Toronto, members of the equestrian team dressage, bronze medal—the first medal ever won by Canadians in this event.

Frank McLaughlin and John Millen, both of Toronto, Flying Dutchman event in yachting, bronze medal.

Dave Steen of Burlington, decathlon, bronze medal. Mr. Steen is the first Canadian ever to win a medal in this event.

The athletes I have named make only a partial list. At the ministry, we will be closely following the Seoul Paralympics where some of our province's finest disabled athletes are competing. Those games officially opened yesterday.

I am proud to say that my ministry helped some of these young people on the road to Seoul

through our support of the Ontario amateur sport system. In fact, 21 per cent of the Ontario Olympians benefited from our Best Ever program.

During the Olympics and the Paralympics, many young Ontarians showed, and are showing, the world their courage and determination. They were part of the true Olympic spirit, the kind of spirit shown by their fellow Canadian, Lawrence Lemieux.

As you will recall, he was the sailor from Alberta who, in the middle of a race, saved the life of one of his competitors who had fallen overboard and was in distress. For his selfless heroism, Mr. Lemieux received a special award from the International Olympic Committee. That is the kind of Olympic spirit that should be honoured.

As Minister of Tourism and Recreation for this province, I feel strongly that the Olympic spirit of our Ontario athletes should also be honoured.

As an aside, I would also like to mention to the members of the Ontario Legislature that Robert Marland, the son of Mississauga South MPP Margaret Marland, was one of the Olympic participants in the rowing event. Robert is a real nice young gentleman and it was a pleasure to meet him. He also made Ontario proud. He would make a good young Liberal.

1420

ACID RAIN

Hon. Mr. Bradley: Last April, Ontario filed a petition asking the United States Environmental Protection Agency to begin the necessary legal procedures to force American acid rain polluters to clean up. That petition was filed in the context of an appeal court ruling which stated it could not order the US EPA to force an acid rain cleanup, as Ontario had asked the court to do, until the EPA first took several procedural steps.

Therefore, Ontario petitioned the EPA officially to publish the findings of its former administrator, Douglas Costele, that acid rain generated in the US endangers public health or welfare in Canada and that the US government has been granted a reciprocal right to acquire control of acid rain from Canadian sources.

After considering any submissions, the EPA could then formally act on these findings and require states whose emissions cause international pollution to impose additional pollution controls. The major targets for enforcement are large coal-fired power plants in the midwestern states. These plants are causing much of the acid rain which falls on Ontario and Quebec.

As we know, the US government has all the authority it needs under existing laws to act now to stop acid rain. Our petition was a formal request to the EPA to stop stalling and enforce its laws.

Last Friday evening, the US EPA said that it was "premature to rule" on that petition.

"I do not believe that EPA presently has sufficient information to undertake the regulatory program required," a US EPA official wrote.

"Identifying the blameworthy states and determining the actions that would be required to eliminate the problem are very complex issues which must be answered before regulatory action would be appropriate."

The US EPA said it intends to wait for a report due in 1990 before it will consider action.

This reasoning flies in the face of both centuries-old knowledge and sophisticated computer air pollution modelling, which has been verified by testing. As Sir Isaac Newton noted with regard to gravity, what goes up must come down; and as our scientists have conclusively demonstrated, acid rain pollution going up the smokestacks of the Ohio Valley and adjacent US states rains down upon Ontario's sensitive lakes, forests, streams and cities.

The Reagan administration has an eight-year history of ignoring environmental reality, and as it limps into history, it seems intent on retaining the dubious virtue of being consistently wrong on environmental matters.

My ministry's lawyers are now examining the US EPA's denial of Ontario's request for action with a mind to challenging that denial in court. Even as more sensible people prepare to administer affairs in the United States, our government intends to press our neighbours for relief from their acid rain assault upon us.

RESPONSES

DRUG ABUSE

Mr. B. Rae: I want to respond to the statement by the Premier (Mr. Peterson) with respect to the report on drugs by the member for Muskoka-Georgian Bay (Mr. Black).

I think it is important to note that the member has made some very substantive criticisms of his own government. He has said, for example, that there is a shortage of treatment programs for adolescents. He has also said in his report there is a shortage of programs and services in northern Ontario, something, I might add, that my colleagues and I heard very directly about in our recent visits to North Bay and Kirkland Lake and Timmins and Kapuskasing just two weeks ago.

"Finally," he said, "There is a great need for the development and implementation of program evaluation throughout the intervention and treatment field."

I know that the member for Muskoka-Georgian Bay might not like to present this report as a criticism of the status quo or as a criticism of the government, but I say to the Premier that now that this report is public, all the talk and headline-grabbing will not get him any further. We know what the lack is; we know what the need is; it has been carefully identified. It has been identified by many experts, and now it has finally been identified by the member for Muskoka-Georgian Bay.

We say it is time for action. This thing cannot afford to gather dust on the shelves. We expect this government to act in those areas where even its own members are now identifying a serious shortage of programs to deal with this very important problem of drug abuse.

1988 OLYMPIC SUMMER GAMES

Mr. Farnan: I note that the minister was proud to be with our athletes in Seoul. No doubt he enjoyed the visit; I hope he did. I am looking forward to the future when I may attend the Barcelona Olympics in the capacity of minister—in the same capacity—to bring back a report.

Interjections.

Mr. Speaker: Order.

Mr. Farnan: We believe we must continue to support the achievement of athletes through the Best Ever program. I would have liked the report to reflect all the participants, some 80 Ontario participants, perhaps by name. I encourage the minister perhaps to read into the record of the House at some stage all participants who represented Canada at the Olympics who came from Ontario, because we do believe it is not just the winners. We want to recognize the winners—we are proud of the winners—but we want to recognize all those who achieved these very high standards, who represented Canada and who came from Ontario.

We would emphasize again that we support the Best Ever program. The emphasis must always remain, we believe, on encouraging participation, particularly in minor sports and recreation facilities, for the broad range of the population of Ontario.

I thank the minister for his report.

APPRENTICESHIP TRAINING

Mr. R. F. Johnston: Just briefly to the Minister of Skills Development (Mr. Curling):

The \$5-million announcement should have been made immediately we knew this default by the federal government was coming. I am glad it is here; I just hope it will be spent, unlike the other money that was supposed to be spent for increasing the number of women in apprenticeship positions or getting the tools for apprentices, which was how many months late? Give us a break.

I am shocked that the Minister of Education (Mr. Ward) has not made a statement today. The Supreme Court of Ontario has shown that Bill 125 is unconstitutional.

Mr. Speaker: Order.

Mr. R. F. Johnston: This is part of my response to the Minister of Skills Development; apprenticeship is a kind of education. We already have a very chaotic situation coming up this fall in the elections, and now the French-speaking electorate does not know what to do. It is irresponsible of the minister not come into the House today and tell us what the—

Mr. Speaker: Order. Further responses?

DRUG ABUSE

Mr. Brandt: I would like to respond to the report released today by the member for Muskoka-Georgian Bay with respect to the drug problem in Ontario. This is a matter our party did raise before the close of the last session and certainly one in which we can agree with the fundamental and basic findings of the report, which indicate that there is a critical problem with respect to the widespread use of illegal drugs in our society.

1430

Certainly, we cannot disagree with the 29 recommendations which have been made, most of which are directed towards the provincial government in terms of action that should be taken; but we do take some exception to the fact that this government has not taken any steps whatever to attempt to co-ordinate any of the limited number of programs out there now. More particularly, I have been calling on the Solicitor General (Mrs. Smith) to make the Ontario Provincial Police more co-operative with municipal, local and federal police forces in order to bring at least some limited kind of control to the flow of drugs which is not only coming across our borders but in a transprovincial method of shipment as well.

I think there has to be some very clear commitment on the part of this government to direct its attention, as well as its financial

resources, towards a problem which is growing very rapidly in our society, which cannot be taken lightly and I am sure is not being taken lightly by any member of this Legislative Assembly.

In our response to the report of the member for Muskoka-Georgian Bay, let me simply say that we are looking for the government to respond to some or all of the 29 recommendations. We are looking for a commitment with respect to a co-ordinated policy to respond to this particular problem. We are looking on the bottom line for some action from the government to show that its true commitment is in trying to come to grips with a very critical and growing problem in our society which has to be dealt with by government.

APPRENTICESHIP TRAINING

Mrs. Cunningham: I would like to take this opportunity to respond to the statement by the Minister of Skills Development. Actually, for \$5 million it is a wonderful opportunity to once again speak to the inadequacies in the delivery system for skills development programs, especially with regard to apprenticeship programs.

I commend the minister for his intent today and I will commend him even much more loudly if he can do anything about program delivery. His ministry underspent by \$77 million. His own budget this year was slashed by \$47 million. In his own cabinet document which showed plans for the delivery of apprenticeship programs, he did not begin to put in enough money in this province to deliver the programs he promised. I am now talking about some 20,000 potential positions over five years. He cannot begin to do it.

I am very disappointed today that he even bothered to bring this to the attention of the House. I should tell him that in North Bay this summer, he was not even able to transfer money from one department to the other so that students who were already halfway through their apprenticeship programs did not have to drop out. I request that the minister take a look at his delivery system and not worry so much about the money and spend it more efficiently.

ACID RAIN

Mrs. Marland: I want to comment on the statement by the Minister of the Environment (Mr. Bradley). I think the statement is really an example of deflecting attention from himself and his ministry and redirecting the focus to the United States. What we are doing is copping out

on our own responsibilities. We must strengthen our position by demonstration, and one of the demonstrations this minister could make is by reconvening his select committee on the environment, which he has now promised for about two years.

1988 OLYMPIC SUMMER GAMES

Mrs. Marland: I want to take a moment to thank the Minister of Tourism and Recreation (Mr. O'Neil) for his kind comments about my son Robert. Our caucus shares in his congratulations to all the athletes of Ontario who competed in the Olympic games. We are indeed proud of those young people. Whether or not they brought home medals, they took with them the pride and glory of this province in their individual personal achievements.

Certainly, the Olympics are still the only worldwide, unifying event that ignores all the ongoing barriers of war, strife, colour and creed. It is a superb example of a nonpolitical, unifying force throughout the countries of the world. We hope that the message of the Olympic games will broaden throughout the world into other areas where it is so needed.

Mr. Speaker: That completes the allotted time for ministerial statements and responses.

Mr. Harris: I wonder if I could offer unanimous consent to revert to ministerial statements for one from the Minister of Education (Mr. Ward), if he would like to tell us how they are going to deal with—

Interjections.

Mr. Speaker: Order.

ORAL QUESTIONS

CHILD CARE

Mr. B. Rae: I have a question for the Premier (Mr. Peterson) this afternoon. I wonder if he might cast his mind back to the last election when, on September 1, 1987, he told the people of Ontario, "The Ontario Liberal government is committed to building a comprehensive child care system to meet the needs of all Ontarians, a system that recognizes child care as a basic public service."

In the gallery today there are a number of women and their children. They have something in common. They are all either on a waiting list, waiting to get into child care, or else they are in a child care centre that is about to be closed.

I wonder if the Premier can possibly square the promises he made on child care, on behalf of the Liberal Party, to the working men and women of

this province with the presence in our gallery today of Janice Thomson, who is 16 years old. She is a sole-support parent; she wants to return to grade 9; she cannot get care for her 15-month-old child, and she is on welfare. I wonder if the Premier would not recognize that is a disgraceful situation and is something that should be addressed right away by this government.

Hon. Mr. Peterson: I think the minister could bring the honourable member up to date on all the programs he has instituted in the last three years.

Interjections.

Mr. Speaker: Order. It has been referred to the Minister of Community and Social Services.

Hon. Mr. Sweeney: I would remind the honourable leader of the official opposition that in the three years we have been the government of Ontario, subsidized spaces in the Metro area have increased from approximately 10,000 to 18,000. That is an 80 per cent increase.

I would also remind the honourable member that three years ago we made a commitment to double those subsidized spaces. That commitment has been kept. Ontario's total number of subsidized spaces in 1985 was approximately 20,000. By the end of this fiscal year, it will be 41,000. That is a doubling, as we committed.

I would remind the honourable member that the Metro area has approximately 20 per cent of the day-care-age children in Ontario but it has 47 per cent of the subsidized spaces. I think this government has treated Metro and Metro citizens fairly.

Mr. B. Rae: Since the Premier is unwilling to answer a question based on a promise and a statement that he made in the last election, I want to again remind the minister what his leader said. Since his leader is not prepared to stand up and respond to questions dealing with this issue and does not have the courage to come forth and debate on the question, I would like to simply say to the minister—

An hon. member: The Brian Mulroney of the provincial House.

Mr. B. Rae: It has been alleged that the Prime Minister of Canada plucks his eyebrows. This is a Premier who plucks his promises. That is what we have, a Premier who is not—

Mr. Speaker: Order. Do you have a supplementary?

Mr. B. Rae: The Premier said: "Schools are a natural focal point for Ontario's neighbourhoods. We believe that neighbourhood schools must play an active role in the development of a comprehensive, integrated child care system."

How can the minister possibly square that—not with respect to whether it is Metro or whether it is Thunder Bay, where there is a waiting list of nearly 600 people, or whether it is his own constituency in Kitchener where there are people who are on waiting lists and cannot get into child care. This is not a Toronto issue. This is not a yuppie issue, as the minister has been telling some people in attempting to divide this province. This is an issue that unites working families across Ontario and they expect a response from the government. That is what they are waiting for.

Mr. Speaker: Do you have a question?

Mr. B. Rae: How can the minister square that commitment made to neighbourhood schools when in fact there are three schools in my own constituency that are about to be closed because of what the minister has done. How can he square that?

Hon. Mr. Sweeney: The statement of the Premier and the statements of this minister have been very clear and very precise. With the releasing of the document called New Directions for Child Care, we set very clear time frames, we set very clear dollar amounts, we set very clear numbers of spaces that were going to be provided. We have kept every single one of those commitments in that document.

As a matter of fact, we are ahead of our schedule with respect to every single commitment in that document; every single one. We indicated that we were going to triple the amount of money spent on child care. We have gone from \$88 million to \$270 million this year. That is a tripling of that amount of money. We said we were going to double the number of subsidized spaces. Those subsidized spaces will be doubled this fiscal year. We indicated that we were going to increase the number of licensed spaces. We are increasing them at the rate of 8,000 every single year.

We indicated that we were going to deal with the wage policy for people working in those day care centres. We have increased, this year alone, the average wage of day care workers by \$3,500. We kept those commitments; every one of them.

Mr. Callahan: Do more research, Bob.

Mr. B. Rae: The member for Brampton (Mr. Callahan) talks about the numbers. I would like him to simply step outside and talk to the women who are there with their children. That is research. Those are the numbers that are there. Those are the people who are there. That is the reality.

1440

There are nearly 10,000 people who are on a waiting list. There are 10,000 people who are not going to get to work because this government has not been prepared to adequately fund centres. There are staff who are being laid off—

Interjections.

Hon. Mr. Bradley: What is this, a lecture?

Mr. B. Rae: They do not want to hear the truth. There are staff who are being laid off. They do not want to hear about it. There are staff who are being laid off and the government is not prepared to meet the need that is there.

That is the question. The question is whether or not they are prepared to meet the need that is there. It is a need that is growing and—

Mr. Speaker: Is that the question?

Mr. B. Rae: I want to ask the minister: Does he think it right and fair that in this year there should be women 16, 17, 18 years old who are not going to school because his government is not prepared to spend 30-cent dollars on child care subsidized spaces in this province, which is exactly what is happening?

Hon. Mr. Sweeney: I do not know where the honourable member gets the 30-cent dollars. I would remind him that the current cost-sharing between the federal government and Ontario is such that the federal government allocates 38 cents and the province picks up the balance.

The other point I would make to the honourable member is that, when he drew to my attention about people going back to school, he would know that Burnhamthorpe school had a proposal before us. That proposal has been met. He will be aware of the fact, and I cannot remember the name, but a school in North York had a proposal before us. That one has been met.

The honourable member referred to three elementary school programs in his own area. I would draw to his attention that the learning enrichment centres have 70 per cent of their spaces subsidized. Metro will advise the honourable member that is the highest rate of subsidization of any organization in the Metro area.

We never said at any time that those centres would be 100 per cent subsidized. We have always said it is in the best interest of the centre, for a broad base of support in those centres, that there should be some subsidization and some full-fee-paying parents.

That is what we have there, but those particular centres the honourable member is referring to are subsidized at the rate of 70 per cent of all of their spaces. That is pretty good.

Mr. B. Rae: What the minister is saying about the learning enrichment centres is that it is too bad the people—

Interjections.

Mr. Speaker: Order.

Mr. B. Rae: Mr. Speaker, I have a question to the Premier, if you will allow it.

METROPOLITAN TORONTO HOUSING AUTHORITY

Mr. B. Rae: I would like to ask the Premier a question, if he is prepared to answer this question. It deals with housing and it deals with the dismissal of Mr. Sewell as the chairman of the Metropolitan Toronto Housing Authority.

We have seen already the incredible situation with respect to waiting lists for child care. Since his government came to power, the waiting list for Metropolitan Toronto housing has gone up from 4,600 families to over 10,000 families.

Sitting on the desk of his Minister of Housing (Ms. Hošek) since last year there have been three proposals from Mr. Sewell with respect to redevelopment of existing sites, one of them in Jane-Finch, one of them in Birchmount and one of them in Moss Park.

This government has done nothing with any of these proposals with respect to redevelopment. How can the Premier justify firing Mr. Sewell, and second, failing to act on proposals that are practical and down to earth and that would deal with the problems facing those thousands of families who are waiting for a decent place to live in this city?

Hon. Mr. Peterson: With great respect to my friend opposite, Mr. Sewell was not fired. I say to my honourable friend, I am sure he can understand that is just not the case factually.

On a number of questions he raises with respect to proposals on the minister's desk, I can tell my honourable friend that a number of very significant initiatives have been undertaken in the city of Toronto and elsewhere. I refer to St. Lawrence East and other places, and I say to my honourable friend that I think he is seeing the minister and the Ministry of Housing wrestle with tough problems in a very aggressive way.

Mr. B. Rae: The waiting list for housing across the province has grown to over 38,000 in July 1988. That is from 27,000, and that represents nearly 60,000 people. The waiting list in Toronto has grown by nearly 73 per cent.

The question I have for the Premier is this: We have from Mr. Sewell, which he has made available—they are now public documents—

architects' designs for three sites. One of them, in the Jane-Finch corridor, would deal very directly with the drug problem, with the enforcement problem and with the security problem, which are all issues of enormous importance, and the Premier will be aware of those from comments that he has made publicly.

How can the Premier justify this delay of over a year in dealing with practical proposals that have been made to his government by the Metropolitan Toronto Housing Authority, proposals that his government has simply sat on for over a year, and then dismiss Mr. Sewell without so much as a thank you?

Hon. Mr. Peterson: The minister can comment in detail on specific proposals that the honourable member would like to discuss, but I say to him it is somewhat understandable that there is an enormous pressure on housing now with the massive net in-migration into Ontario in the last year, and this year we are anticipating another 120,000 or so. My honourable friend, I am sure, can understand the enormous pressure this puts on the housing system and, in spite of great progress that has been made, the pressure continues.

I say to him that we will continue to be unrelenting in our efforts to try to solve these problems. Massive amounts of money have been put in. The Treasurer (Mr. R. F. Nixon) has put \$2 billion into co-operative housing in his last budget. He has seen a number of agreements being signed with municipalities.

So I say to my honourable friend that I do not want to mislead him to think we can meet that enormous demand coming from net in-migration tomorrow morning, but I think any fair assessment will say that progress is being made.

Mr. B. Rae: Perhaps the Premier could just answer this question: If he is really interested in producing more housing stock, why has he sat on three practical proposals that have been put forward to him by the largest public housing authority in Ontario? I would like to ask him why he has not acted on any of these when the waiting list is expanding, the need is clearly there, the moves for reform have been asked for and he has not moved. Can he explain why that is?

Hon. Mr. Peterson: I say to my honourable friend that I cannot respond to each specific proposal that has been put forward; there are many. But I can tell him that many have been acted upon. Look at St. Lawrence East, for example, which will house some 10,000 people.

I say to my honourable friend that we are using the limited resources we have in a creative way

and going ahead. I can tell him that no sensible proposal that is affordable is turned down. They are all prioritized, and I think a reasonable assessment will say that real progress is being made.

MEMBERS' ANNIVERSARIES

Mr. Brandt: Before asking my first question, I would like to pay tribute to the member for Niagara South (Mr. Haggerty) and to the member for Perth (Mr. Edighoffer), who happens to be the Speaker, on having served 21 years in this House. I think that is a tribute that deserves mentioning.

I would like to extend the congratulations of my party as well to the Leader of the Opposition, the member for York South (Mr. B. Rae), who is now celebrating his 10th year in elected office.

WASTE MANAGEMENT

Mr. Brandt: My question is for the Minister of the Environment and it relates to what many believe to be the most serious problem, in environmental terms, in this entire province: namely, that of the waste management crisis. I say it has reached crisis levels when one recognizes the number of municipalities that are presently without a waste site, those that are very quickly going to exhaust their present facilities and others that have spent literally millions of dollars in an attempt to solve their problems.

I wonder if the minister was, in fact, quoted correctly when he indicated that the province will not step in to solve waste problems and that he feels it is purely a municipal or local government problem, apart from advice he is prepared to give. Is that his position on this matter of growing consequence?

1450

Hon. Mr. Bradley: First of all, I want to join with the leader of the third party in paying tribute to you, Mr. Speaker, to my friend the member for Niagara South (Mr. Haggerty) and to the member for York South (Mr. B. Rae) the leader of the New Democratic Party, on their special celebrations today.

To go to the question that the former Environment minister has asked me, I indicated very clearly on a number of occasions that our ministry has been in communication with, had meetings with, has been involved in joint planning with, through our advisory capacity, municipalities across Ontario for some period of time. He will recognize that we have, in fact, provided the kind of leadership—many of the people who are enlightened in the municipal

scene, and he knows there are many of those people who have been looking to the field of recycling, for instance—that diverts materials that would normally go into a landfill site away from that landfill site.

For instance, that is why this government has changed from the \$750,000 a year that the member as Minister of the Environment was providing in his last years of government, to \$7.7 million this year on the part of this government, to promote recycling. This is why we will be reaching a point where one million households in Ontario will, in fact, be on the first-class, curbside blue box recycling program in this particular month, as we are here in the Legislature. That is why we have enhanced a number of programs which are designed to assist municipalities in going through the processes—

Mr. Speaker: Thank you.

Mr. Brandt: I applaud the minister on enlarging a program that a previous government started with respect to recycling; but let me say to the minister, when the region of Halton has been 14 years in attempting to prepare for a landfill site and has spent some \$18 million, and when the people of Halton, in fact, are required to ship their waste to the United States to be incinerated, I think the Minister of the Environment should stand up and take notice and perhaps take some action.

What is he prepared to do about municipalities when he talks about working co-operatively with them, and they do have a recycling program, as the minister is well aware, in that community. What is he prepared to do to reduce the time lines, streamline the process in some fashion, to help regions like Halton bring to a head the problem of their waste landfill sites?

Hon. Mr. Bradley: It is interesting that the member should bring up problems with waste landfill sites because I can recall, as a member of the opposition, a legacy of mistakes that were made by the previous government because it did not appropriately apply the Environmental Assessment Act and the Environmental Protection Act in this province.

The member will recall it was the former government that allowed the Ontario Waste Management Corp. to move forward with this proposal in South Cayuga and exempted it from the Environmental Assessment Act, and it was this government that in fact placed that under the Environmental Assessment Act. It was the former government that allowed the Pauzé landfill site to be poorly located and mismanaged. When it was finally forced to accept the

reality that the landfill was leaking, it never shut it down despite promises to do so, and it was this government that kept its promise to shut down the Pauzé landfill. It was the former government that allowed the Smithville polychlorinated biphenyls site to be established and to operate in a rather laissez-faire fashion. It is this government that is going to have to spend millions upon millions of dollars of provincial taxpayers' money to clean that up—

Mr. Speaker: Thank you.

Mr. Brandt: And it is his government that is allowing waste to be shipped to the United States. It is his government that has some 100 municipalities waiting for approvals under the Environmental Assessment Act for new landfill sites. It is his government that has 300 municipalities which, in the short-term future, are going to have to get approval through his ministry to find someplace to put their garbage.

Forget about what happened three years ago. Forget about anyone else's faults. Why does he not look for a moment at trying to solve the problem himself? He is the minister. What is he going to do about the landfill site crisis in this province?

Hon. Mr. Bradley: I know the seven blue box programs that were going on when the leader of the third party was in government were a very small start in the program. Of course, everyone in this House will remember that they did not have the intestinal fortitude on the other side to deal with the pop container regulation. It took this government to implement soft drink container legislation which has brought \$20 million additional from the private sector to ensure that recycling is going to work in this province.

Members should know that all across the province there are waste management master plans that are being developed by municipalities working together, by municipalities which are gathered together, not working in several different directions but coming together to solve their problems with the advice, the financial support and the technical and scientific support of the Ministry of the Environment.

If the member wishes to fabricate a situation that he thinks exists, if he wishes to go back to the old—

Mr. Speaker: Order.

ÉLECTION DE CONSEILLERS SCOLAIRES

TRUSTEE REPRESENTATION

M. Pope: J'aimerais poser une question au ministre de l'Éducation. Nous avons eu la

décision, ce matin, de la Cour suprême de l'Ontario au sujet de la Loi 125. Il n'y a eu aucune réaction du tout de la part du gouvernement de l'Ontario ni du ministre de l'Éducation. Qu'est-ce qui se passe avec la Loi 125 et les élections des membres de conseils d'éducation dans les communautés touchées par cette décision-là?

Hon. Mr. Ward: I will refer that question to the Attorney General.

Hon. Mr. Scott: This morning, Mr. Justice Sirois of the Supreme Court of Ontario gave a short oral judgement with respect to the proceedings that were before him. He indicated that his formal written reasons would be available this afternoon. When they are, the Minister of Education (Mr. Ward) and I and our staffs will be examining them.

It is interesting to note that he did not declare any of the sections of the bill unconstitutional. What he said orally was that he thought a provision of the bill which determines the proportion of school trustees to represent the majority and minority sectors should not take effect at this time.

In the next 24 hours, the minister and I and our staffs will be looking as to how we can respond to assure that the elections that are presently under way proceed and take place.

Mr. Pope: That is all very nice, but the Minister of Education, who today has washed his hands of this issue, ignored the advice of members of the opposition when this bill was being debated. He ignored the advice of the trustees' organizations in the province, which sought him out to plead with him not to proceed at the late date immediately prior to these elections with his project, Bill 125, and asked him not to do it because he had left it so late.

He ignored their advice. He ignored private advice he was given in his office by those involved in the education system, and we now have a shambles on our hands that is the making of the Minister of Education. He will not stand up and make a statement and he will not answer questions in the House today. That is what we have, a Minister of Education who is abdicating his responsibility for a problem that he created.

Under what rules will the election go ahead this fall—under the old law or under the new law? Today is the last date for the filing of nominations. Is the minister going to extend the date for the filing of nominations? Saturday was the last date for revisions to the enumeration list.

Mr. Speaker: I heard a question. Order. The question has been asked.

Hon. Mr. Scott: The one thing I have learned is that when you are dealing with complicated matters in court, it is dangerous to overreact. The sound of the bull moose in heat, of course, is threatening to all of us and there is a natural inclination to be stampeded.

Interjection.

Hon. Mr. Scott: In all these important agricultural matters, I defer to the member for Riverdale (Mr. Reville).

Interjection.

Hon. Mr. Scott: As a matter of fact, the honourable members of the official opposition obviously react in the same way I do to the question posed by the member for Cochrane South (Mr. Pope).

1500

The first thing to observe is that Mr. Justice Sirois did not conclude that this provision was unconstitutional. That is the first thing. What he said was that he thought that issue should be decided at some other time and in some other place, but he directed that the representation provision should not go into effect at this time.

It is a very unusual order and I want to assure the honourable members that the Minister of Education and I are working very closely so that we will be able to respond to the House and to the public as soon as possible in a way to ensure that the elections which are already under way will take place.

Mr. Pope: The minister may think that this is a sporting or Natural Resources exercise but we have elections going on across Ontario. Nominations have to close today at five o'clock. There will be some impact from this decision with respect to the number and type of trustees in school board regions across the province. There will be that effect.

There is going to be an impact with respect to what enumeration list you are going to be on and your rights to revision under the new decision that was reached today by the Court of Appeal of Ontario. The minister may want to sit there and study this matter. He has left everything to the last minute throughout this whole exercise on Bill 125. It is the people in different parts of the province who have to suffer the consequences of his negligence and inaction.

What is the minister going to tell prospective candidates for election and the electors of these regions of Ontario when the right to be nominated as a candidate closes today at five o'clock and the right to be placed on a certain selected enumerated roll expired last Saturday? What is

the minister going to do to remedy the injustice that the Minister of Education has created across—

Mr. Speaker: Order. The question has been asked.

Hon. Mr. Scott: If you heard the judgement given this morning—we hope to read it when it is released later today—the first thing that is perfectly clear is that the enumeration lists have not been attacked or criticized in any way by the judge. The enumeration that has taken place appears to be satisfactory.

It is also clear that nominations can take place and that persons who have been nominated or may be nominated before the close of the process today will be able to be elected. What we have is no determination by the judge that any provision of the act is unconstitutional.

He deals with one provision, apparently, and says it should not go into effect yet. We propose, over the next few days, to examine that in light of what it may mean in respect of the allocation of the population to the two boards. When we have determined what the appropriate legal, legislative or regulatory response is, the House will be informed in the usual way.

WORKERS' COMPENSATION BOARD

Miss Martel: I have a question for the Minister of Labour concerning Bill 162 which will come back into the House on Wednesday. The minister has stated on several occasions that before he introduced this bill he had broad discussions with many groups across this province. In fact, in August he said he had had “very extensive discussions with virtually all the participants, all of the stakeholders in the workers’ compensation system.”

We in this House know that is absolutely untrue and that the only people the minister consulted were the employers and the top brass at the Workers’ Compensation Board, and that in fact the very people who are going to be most affected by the bill—that is, the workers themselves—had no participation in this bill.

I want to ask the minister, given the fact that the legal clinics, the trade union movement and the injured workers’ groups are completely opposed to this bill—and they have read it, I might add—will he not do the decent thing; that is, throw this bill out, start again, and bring in people who actually know something about the system and actually care about injured workers?

Hon. Mr. Sorbara: I do not know what I have to do to prove to the member for Sudbury East that I consulted broadly prior to the drafting of

the bill. I could, if she likes, send her over my appointment book and show her the number of times and occasions upon which I have met with representatives of injured workers. Indeed, subsequent to the introduction of the bill, on many occasions during the summer, I met with the injured workers’ community and its representatives.

They said to me over and over again, “We want a system that more fairly provides for those of us who have permanent injuries and we want a system that makes a better commitment to rehabilitation and we want a system that helps us get our jobs back. Besides that, we want a system that provides realistic ceilings on the kinds of earnings that we were making prior to our injuries.”

That is precisely what this bill does. That is precisely the impact of Bill 162, and if my friend the member for Sudbury East would simply take a careful look at the bill, I think she would have to acknowledge that in this House as well.

Miss Martel: I have taken a careful look at it. Why does the minister not read it and find out what it is all about?

If there were injured workers in this province who truly believe this bill was going to make the system more fair, they would not have been demonstrating outside today with the trade union movement, injured workers and the legal clinics across this province and they would not have been demonstrating outside Liberal MPPs’ offices across this province as well.

I want to ask the minister, in view of the fact that there is widespread opposition to this bill, will he now guarantee in this House there will be full public hearings across the province on this bill? He can do that simply by advising the government House leader and the six committee members on the resources development committee that is what he wants. Will he commit—

Mr. Speaker: Order. The member has asked her question.

Hon. Mr. Sorbara: Let me just make a comment about the demonstration that was held today. I am not surprised that injured workers are demonstrating. I am not surprised, frankly, for two reasons.

Let me tell the member the first. First, injured workers in this province have been living for many, many years on a system that has been arbitrary and unfair to far too many workers.

But the second reason is this: Some of the misinformation that has been given to injured workers in this province is absolutely shocking. I saw the document that the member and her leader

distributed to meetings of injured workers, and I will tell her quite frankly, I have never seen such a distortion of a piece of legislation as I have in the pamphlet that they handed out.

In closing, let me just read a brief, brief, paragraph, if I could—

Interjections.

Mr. Speaker: No. Order.

LANDFILL SITE

Mrs. Marland: My question is to the Minister of the Environment. I am sure this minister is well aware of the problems that he has created in Peel with respect to his recent notice of order on the subject of the proposed landfill site and the environmental assessment in Peel.

Thanks to this proposed order, we now have two serious problems. One is a need for a landfill site and the other is the need to free up acceptable land for the construction of housing.

I would like us to put all excuses aside for a moment and look at the reality of the situation. The region of Peel's present dump site will close in 1990. The minister's recent decision will delay the construction of a new site by up to five years. It takes only simple math to calculate that Peel will have nowhere to put garbage in two years.

Mr. Speaker: Your question?

Mrs. Marland: My question to the minister is, how does the minister intend to solve the real problem and why has he refused to meet immediately with Chairman Frank Bean, Mayor Hazel McCallion, Mayor Ken Whillans and Mayor Emil Kolb of Caledon?

Hon. Mr. Bradley: To answer the latter part of the question first, I some time ago agreed to meet with some of these individuals. In fact, I agreed to meet with Mayor McCallion. At the same time, I suggested that the other two mayors be present for that. Mrs. McCallion indicated that was not satisfactory to her and that it would be a period later on when I could meet with of all these people that would be useful. I want to clarify that. That offer was made; there was a meeting that was established; I thought it would be appropriate to invite the other two mayors at the same time, and I will be meeting with the entire group in the not-too-distant future.

I want to indicate as well, as the member may know, that in fact the Ministry of the Environment has been indicating its concern about the environmental assessment process in Peel, I think since 1984 at the officials' level, and that the former Deputy Minister of the Environment, Rod McLeod, directed a letter to the region in

June 1987 and personally communicated his concerns and my concerns about the process it was going through at that time.

I think one has to look carefully at many instances where we have to choose what—

Mr. Speaker: Order.

1510

Mrs. Marland: The meeting to which the minister refers is not until October 28. It is significant that it is after the appeal period, and the gamesmanship in this whole matter is really unacceptable to the people of Peel. The region of Peel has now been forced to place a freeze on unregistered land. Each day this delay continues to cost developers, builders, workers and home buyers a great deal of money. The Minister of Housing (Ms. Hošek) and the Premier (Mr. Peterson) promised the municipality three months ago they would ensure that the government red tape would be cut to provide housing for people at a faster rate and better prices.

Now this ministry comes in at the 11th hour to back up not only the building of new houses but the construction of a Peel dump site. My question is, when will the minister stand up and help resolve this crisis that we are facing? Or will he continue to wash his hands of the whole matter and run and hide and not deal with the issue that his deputy minister—

Mr. Speaker: Order. The member has already asked two questions.

Hon. Mr. Bradley: The member is simply misinformed. She does not have the information, and the member should be aware, as I think those who sat in municipal council and as members of the regional government staff and of municipal staffs will know, that the Ministry of the Environment, since 1984, has expressed concern about the environmental assessment process.

This has come as no surprise to anyone in the region of Peel. You see, it is no longer acceptable to say that we will not have a site in this location because the mayor does not want it there, or we will not consider a site in another location because somebody else does not want it there, or it is some municipality's turn to have it, somebody else's turn. None of those, of course, puts the environment as the primary consideration.

I put the environment as the primary consideration and that is why our ministry, since 1984, has expressed concerns about the process it has gone through. It is time that people looked at all of the sites from an environmental point of view.

FIRE PREVENTION

Mr. Faubert: My question is to the Solicitor General. As the minister is aware, 154 people were killed in fires in Ontario in 1987. To emphasize the significance of this figure, it is greater than the number of Ontarians who died from acquired immune deficiency syndrome last year, and yet people still have that "It won't happen to me or to my family" attitude.

Public education and awareness could help prevent many of these human tragedies. Can the minister advise this House of any recent initiatives her ministry has taken to deal with this matter and the progress made thus far?

Hon. Mrs. Smith: Yes. The member for Scarborough-Ellesmere will be very happy to know that the ministry very much concerns itself with the matter of fire deaths, and we recognize that the most important area to be addressed is that of prevention. To this end, in 1987 we started a major initiative on prevention. We appointed a prevention officer, seconded from North York, who has been working extensively with the fire marshal's office, existing municipalities and especially those areas that do not have fire departments.

We have addressed \$500,000 to this, and many initiatives are already coming forth from this. We have a new videotape out, made up of many segments which, in their own right, can be used on TV but which, as a totality, can be set on TV by the public service programs. This has been edited and spoken to by David Suzuki and is an excellent piece, which I recommend to all the members for their own localities. As well as that, we have had Fire Prevention Week this past week and travelled around the province giving out seven awards and drawing attention to the importance of fire prevention in all of these communities.

I think the member can see that we very much stress fire prevention as the most necessary tool for stopping deaths.

Mr. Faubert: I commend the minister for her efforts in the area. However, the minister did indicate earlier that she was contemplating forming an advisory committee of persons who have expertise in the firefighting field. Would the minister advise this House if she has decided to go ahead with this initiative? If so, could the minister provide some details of this advisory committee's potential mandate and structure?

Hon. Mrs. Smith: Once again, the setting up of this committee has been slightly delayed because we find, in looking into the facts behind

fire deaths, that we have been putting the wrong emphasis. Indeed, firefighting is not the emphasis we wish, either in the ministry or on this committee. We have such figures as the fact that we address 95 per cent of our funding to fighting fires and only five per cent to prevention.

As a result of this sort of emphasis, we find that we have twice the death rate by fire as they do in Europe—this figure is true for the whole of North America and not just Canada—and in fact we have five times the death rate of Switzerland. We know we must address this in a new and creative way and want to put together a committee that can give us the appropriate kind of advice to get into the preventive field in a big thrust. We will be doing this, setting up the committee. We welcome from all the members of the House suggestions on the kind of people and individuals they might like to see on that committee.

RECYCLING

Mrs. Grier: I have a question for the Minister of the Environment. We heard earlier this afternoon a recitation by the minister of all the programs on recycling that he had initiated. Will the minister not acknowledge that even with those and even with the million households with blue boxes, only 7.1 per cent of municipal solid waste will be diverted from landfill in 1989?

It is now a year since the minister spoke to the Recycling Council of Ontario and said he hoped to see Ontario recycle 25 per cent of its waste in the near future and eventually recover more than 50 per cent. On that occasion, he went on to say that he would consider legislation to force municipalities to recycle if incentives do not work. "We will pull out the stick if the carrot fails," Mr. Bradley said." Will the minister not acknowledge that the carrot has failed and that the stick ought to be pulled out? Will he give us some commitment that he will get all municipalities recycling 50 per cent before the end of this year?

Hon. Mr. Bradley: The member does not have the faith in certain municipalities which are at the present time embarking upon these kinds of programs. I have been very impressed by the number of municipalities that are now coming on stream with the curbside blue box recycling program. If someone had predicted that a million households would be on this program in late October 1988, a lot of people would have scoffed at that. In fact, we are reaching that point and we are going far beyond that point.

Almost on a daily basis now, municipalities are kicking off their blue box programs. That is as a result of initiatives that have been taken at the local level. There have been citizens' groups concerned about it, which have asked that they establish these programs and expand them; and of course, the Ministry of the Environment has increased its funding from \$750,000 in the last year of the last government to \$7.7 million this year; and OMMRI, Ontario Multi-Material Recycling Inc., as a result of our regulation, has invested some \$20 million to encourage it.

I see nothing but a movement upward in this regard. I see municipalities across this province coming on stream very quickly; not only that, but looking at new initiatives, such as Guelph is, for composting, for getting apartments on the recycling program. A lot of people said you cannot have apartments—

Mr. Speaker: Thank you very much. Supplementary.

Mrs. Grier: The statistic I quoted to the minister was from the recycling council, and it was for the end of 1989: 7.1 per cent of municipal solid waste to be recycled.

Does the minister not realize that as well as recycling we have to get into reduction of our waste? Does he not realize that the people of this province are way ahead of the government in their desire to really do something meaningful and to have some leadership and some action from the provincial government on little things as well as large?

1520

Mr. Speaker: I thought that was the question.

Mrs. Grier: When I first came to this House, we had china cups outside in the lobby; now we have styrofoam—styrofoam for the members of the Legislature and for the minister to drink from. Is that a symbol of the kind of commitment we have from this government?

Hon. Mr. Bradley: I will speak to the Board of Internal Economy, which has representatives of all three parties on it. I am surprised that the board member from the New Democratic Party has not heard about this from the Environment critic, the member for Etobicoke-Lakeshore, previous to this. I know the Board of Internal Economy would want to change this very quickly. Certainly, I support all of the initiatives of the Board of Internal Economy to make those changes in this Ontario Legislature. As we know, this building is governed strictly by the members of this Legislature.

With regard to beyond the blue box program, in fact, we are initiating commercial, industrial and institutional recycling at this time right across Ontario. We have doubled funds in terms of industrial four Rs. We are involved in all of those programs which are designed to recycle, recover and reduce the waste that is produced. We will continue to be involved in those programs, and wherever the member and I see that there are instances where people would vary from that, we can join with others in encouraging them.

Mr. Speaker: Time for a new question.

METROPOLITAN TORONTO HOUSING AUTHORITY

Mr. Harris: When John Sewell was hired, the Minister of Housing said the former mayor would bring "a new sensitivity to the day-to-day management of public housing in Metro." Given that this is what the government wanted, and I would concur, a hands-on, full-time chairman involved in the day-to-day management, could the Minister of Housing tell us why Mr. Sewell was fired for doing exactly as he was asked to do?

Hon. Ms. Hošek: The choice of the chair for the Metropolitan Toronto Housing Authority is extremely important to us, because we want to make sure that the agenda for reform which was begun in 1985 will continue. That is the reason we chose Jean Augustine, a truly outstanding individual, as the new chair for Metro Toronto Housing beginning in November.

Interjections.

Mr. Speaker: Order.

Hon. Ms. Hošek: Members of the House may not be fully aware of Ms. Augustine's background. She came to Canada in 1961 as a domestic worker. Against very great odds, she has achieved a level of education and accomplishment that is very significant. At the moment, she has been working as a principal in the Metropolitan Toronto separate school system. She has risen to a position of great prominence against great odds. She has worked in a variety of areas, including children's aid and various other social areas. Her community credentials and her experience are unassailable.

I am very pleased that she has agreed to take on the position of chairman of Metro Toronto Housing Authority beginning in November to continue on the road to reform. There are many issues that need to be addressed in Metro Toronto Housing, and I believe that Jean Augustine is admirably suited to do that.

Mr. Harris: Given that the question had nothing to do with Ms. Augustine, I sense a great deal of concern on the minister's part over the appointment and I will have to look a little closer.

Mr. Reville: She is defensive.

Mr. Harris: She is very defensive. Perhaps the minister doth protest too much.

Let me get back to my question, though. The minister will be aware now, among all the other complex problems that are in the housing situation and with the Metro Toronto Housing Authority, of the drug problems and the trafficking problem in the Jane-Finch area. She knows maintenance staff who work there have requested protection because they have been robbed and threatened. They are afraid something worse will happen.

Given the tensions in that area, the problems that have to be overcome, the challenges facing the tenants and the employees, can the minister explain to the House why she made the position of chairperson of the Metro Toronto Housing Authority a part-time position instead of leaving it a full-time position, as it should be, and could she tell this House if Mr. Sewell was offered the new part-time position?

Hon. Ms. Hošek: The new chairman of the Metro Toronto Housing Authority will be involved in the housing authority as much as is required. She has made a commitment, an agreement with her board, to have as much time to work on housing issues of Metro Toronto Housing Authority as is required, with all the staff support that is required.

Let me say that at the time the decision was made not to continue to have a new appointment to the end of November of a new chairman of Metro Toronto Housing Authority, the Housing critic of the member's party suggested that we might appoint a business leader as head of the Metro Toronto Housing Authority. We resisted the temptation to appoint Conrad Black and decided instead to appoint someone whose credentials in this area are very strong.

As to the issue of drugs in Metro Toronto Housing Authority and otherwise, all of us in this House deplore the spread of drugs anywhere in this society. I want to say that one of the very important things that we are doing, with the complete support of the tenants in Ontario housing and under the leadership of the Ontario Housing Corp. as well as Metro Toronto Housing Authority, is working with the police to make sure that drug dealing that is happening inside any of those places will be stopped, because we know that the people who live in that housing

have every right to be protected and to live safely.

Our commitment to work on that issue is very strong and—

Mr. Speaker: Thank you.

BREAST CANCER

Ms. Collins: My question is for the Minister of Health. The minister is aware that breast cancer is a physically and emotionally debilitating, potentially fatal disease that last year killed 1,600 of the 4,500 Ontario women it affected. The minister will also know that breast cancer can be treated and cured if it is detected in the early stages. Would the minister inform the House of what plans her ministry has to establish a province-wide breast screening program?

Hon. Mrs. Caplan: I would like to thank the member for the question. I know of her interest not only in this matter but also in other health matters as they relate to both prevention and promotion strategies. She is aware, as I think all members of this House are, of the fact that we are concerned about giving people in this province the information they need so that they can protect themselves and prevent preventable diseases.

At the present time, the Canadian Cancer Society provides educational materials to women and Ontario participated in a Canadian national breast screening program to evaluate the effectiveness of breast screening, both through mammography and self-examination.

Ms. Collins: Many women do not recognize the first stages of this killer disease simply because they do not know the warning signs in their bodies. Given the importance of early detection in the successful treatment of breast cancer, will the minister commit her ministry to undertake a public awareness campaign so that all Ontario women will have the knowledge to combat this deadly disease?

Hon. Mrs. Caplan: The ministry and myself feel it is extremely important that in our programming, promotion and prevention strategies be a part of our provincial programs. We are at the present time reviewing core programs of public health and we are also at this very moment reviewing a proposal before the ministry from the Ontario Cancer Treatment and Research Foundation in this area of importance to women in this province.

SOCIAL ASSISTANCE

Mr. Allen: I have a question of the Minister of Community and Social Services. As he knows and we all know, winter is rapidly approaching

and over a million poor people in Ontario are looking forward to that experience with some dread, while the government maintains a rather icy silence on the Thomson report and its landmark proposals for dealing with their problems.

Three years ago the minister knew the rough proportions of the problem of poverty in Ontario when he appointed that committee. Six months ago he had some notion of the details in which Mr. Thomson was going to be reporting to him. He could then have begun preparing his ground and the Treasurer (Mr. R. F. Nixon) could have begun making some space in the budget to respond, but none of that happened.

Why have we heard nothing; and what, if anything, is the minister going to do to respond in concrete ways to the needs this fall of the growing numbers of poor in Ontario?

1530

Hon. Mr. Sweeney: The honourable member is aware of the fact that during the two-year period of time when George Thomson and his committee of 12 were putting together this Transitions report, this ministry was putting additional resources into the income-assistance part of the program. The honourable member will be aware of the fact that over the past three years we have added \$337 million to the income-assistance part of our ministry's budget. That represents a total of a 23 per cent increase during a point in time when the cost of living went up 13 per cent, so that was not only matching the cost of living but adding a 10 per cent increase above and beyond that.

The member will also be aware of the fact that if we want to pick selected groups—single parents, disabled people and families of four—in fact the increase was closer to the neighbourhood of 30 per cent. So it is not correct to say that we have been doing nothing while the report was being drafted. In fact, we were doing something.

The second point the member alludes to is the time of response. He will be well aware of the fact that the report itself very specifically says that it is appropriate and it is desirable for the government to take up to six months to respond to the report in an official capacity. All that having been said, the member will know that the normal procedure would be to make an announcement—

Mr. Speaker: Order.

Mr. Allen: Whatever they have done, the problem of poverty remains, and it remains a dire experience for those who live in it. No government can rest on its laurels. Even the small amount it has done to date certainly does not

match the amount it is going to have to do in years to come.

What really worries this party, I think, is not just that the minister has not made a clear response, to date, to the Thomson report but that, in a number of respects, moves have been made by this government recently that run directly counter to the directions of Mr. Thomson himself; for example, in the last few months, a regressive sales tax increase, failure to pass on the Canada pension plan disability benefits, holding back on literacy grants, cutbacks in the homemakers' budget—

Mr. Speaker: And the question?

Mr. Allen: —refusal to accept the comfort allowance decision for psychological—

Mr. Speaker: Do you have a question?

Mr. Allen: —funding of community clinics—all together a major attack not on the problem of poverty but on the poor.

Will the minister not announce now the concrete steps he will take this fall, not after the next budget, to implement year one of the Thomson proposals. I remind him that Mr. Thomson said there were things you could do within the next two months.

Hon. Mr. Sweeney: I would suggest that a more careful reading of the document clearly says that neither this minister nor this government should take bits and pieces out of that and implement them apart from the entire proposal; that it is designed very specifically to be a package proposal and that, in fact, that is what we should do.

I would also remind the honourable member that, in his reference to the CPP disabled pass-through, the entire amount of money flowing through from the federal government was \$18 million and the amount of money allocated by this government to the disabled was \$54 million—three times as much. The honourable member also makes a reference with respect to comfort allowances. He will remember that just this past year we increased comfort allowances to the nonelderly from \$77 to \$100. That was the largest single increase that has ever been put into that program.

He is also aware of the fact that the Minister of Health (Mrs. Caplan) and myself are at the present time negotiating ways to add that comfort allowance to the psychiatric hospitals, as we now have them for those same people in the general hospitals. That is in process right now.

PETITIONS

PARLIAMENTARY ASSISTANT

Mr. Laughren: "To the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition for the need for a parliamentary assistant for the constituency of Sudbury.

"In view of the fact that there are 94 Liberal members, surely a city as important as Sudbury should be represented by at least a parliamentary assistant.

"And since the member for Sudbury is a Liberal and is willing to serve, we urge the Premier to erase his recent insult to Sudbury and to its member by removing Sterling Campbell from his back-bench humiliation and reinstate him as a parliamentary assistant."

RETAIL STORE HOURS

Mrs. Stoner: I have a petition with 100 signatures:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We are opposed to open Sunday shopping and want to retain a common pause day in Ontario."

SCHOOL OPENING EXERCISES

Mr. J. M. Johnson: I have a petition:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"This letter is in protest of removing the Lord's Prayer and Bible scripture reading from the public schools in Ontario.

"There are children who would benefit from hearing and learning the Lord's Prayer."

This is signed by 22.

I also have a similar petition signed by 35.

NAMING OF ROAD

Mr. Wildman: I have a petition that is signed by 28 residents of Algoma riding:

"To the Honourable the Lieutenant Governor, the Legislative Assembly of Ontario, and in particular, the Honourable Ed Fulton, Minister of Transportation:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"That the portion of old Highway 17 north between the Trans-Canada Highway and Trout Lake Road be named MacIntyre Road after the

family who originally owned the majority of the land in the area."

This petition is signed by 100 per cent of the residents along the road in the Heyden area north of Sault Ste. Marie, and I support the petition.

RETAIL STORE HOURS

Miss Roberts: I would like to present a petition signed by 28 individuals that reads:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas we strongly oppose the intention of Bill 113 for Sunday opening, we believe that the Ontario government must act to maintain Sunday as a common pause day."

MADAWASKA TRUST PARK

Mr. Pollock: I have a petition from 168 people which reads:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We oppose the creation of Madawaska Highlands regional trust park."

PENETANGUISHENE MENTAL HEALTH CENTRE

Mr. McLean: I have a petition signed by 95 patients at the Oak Ridge division of the Penetanguishene Mental Health Centre addressed to the Honourable the Lieutenant Governor of Ontario, the Provincial Auditor and the Legislative Assembly of Ontario, asking that their concerns be thoroughly investigated and any interest on their money recovered:

"We, the patients of the Oak Ridge division of the Penetanguishene Mental Health Centre ask that you investigate our following concerns:

"(A) It is our belief that during the past several years the Treasurer of Ontario has received, as revenue, interest on patients' 'pin money' contained in the hospital bank accounts; and

"(B) It is our belief that we are entitled to the interest accumulated on our money which is kept in the Penetanguishene Mental Health Centre's bank accounts."

QUARRY TRUCK ROUTE

Mr. McLean: I have a petition signed by 324 concerned citizens addressed to the Honourable the Lieutenant Governor of Ontario, the Minister of Transportation (Mr. Fulton) and the Legislative Assembly of Ontario who are opposed to alternative route 4 in the township of Mara:

The petition reads:

"We, the concerned citizens of the regional municipality of Durham and the county of Simcoe, request the immediate cancellation of plans to construct a quarry truck route as detailed by alternate route 4 in the study by Totten Sims Hubicki and Associates."

REPORTS BY COMMITTEES

STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Mr. Laughren from the standing committee on resources development presented the committee's report and moved the adoption of its recommendations.

Mr. Laughren: Very briefly, I should say that in the throne speech the government suggested this entire matter of mining fatalities be referred to the standing committee on resources development.

Last January and February, the committee went across northern Ontario and some parts of southern Ontario, in the dead of winter I might add, and visited 10 different mine sites. Some of the members on the resources development committee had never even been in northern Ontario, let alone in an underground mine. Nevertheless, they worked extremely hard in familiarizing themselves with the whole question of mining fatalities and accidents in mines.

The members of the committee worked very hard as well on coming up with a unanimous report. There are 22 recommendations in the report, which are unanimous, and there was not a member of the committee, I do not think, who did not work hard to make sure it was unanimous. It is our hope that the government will respond with some substance to the report later this session, and also that there will be a full-fledged debate scheduled by the three House leaders to deal with this report.

1540

I would be remiss if I did not take this opportunity to express on behalf of the committee appreciation for the hard work done by the clerk of the committee, Todd Decker, then at the latter part of the hearings Lynn Mellor, and our research assistant, Lorraine Luski.

As the chairman of that committee I say that I appreciated very much the co-operation of all members of the committee because it was not an easy task, either the tour of the various mine sites in the dead of winter, as I said, or coming up with a unanimous report. The members of the committee worked extremely hard on what I

think is in the best interest of people who work in the mines in this province.

On motion by Mr. Laughren, the debate was adjourned.

STANDING COMMITTEE ON PUBLIC ACCOUNTS

Mr. Philip from the standing committee on public accounts presented the fourth interim report, 1988, and moved the adoption of its recommendations.

Mr. Speaker: Does the member have a brief comment?

Mr. Philip: On February 25, 1988, the standing committee on public accounts reviewed the auditor's findings of questionable operating practices at the Ontario Housing Corp. The auditor had identified several concerns in the course of his annual audit. These included several of the Metropolitan Toronto Housing Authority's privately managed projects that experienced significant unauthorized cost overruns and had incurred questionable expenditures, which were subsequently investigated by OHC, the Solicitor General (Mrs. Smith) and the Ontario Provincial Police.

There were problems with the maintenance staff. MTHA had a level of workers' compensation claims in 1986 that was five times as high as the average for janitorial workers and, in fact, exceeded the level among the most hazardous of occupations. Also, one of the three housing authorities visited had awarded most of its 1986 contracts without any public tender.

The committee made a number of recommendations on this and also expects the ministry to report back within 120 days of tabling the committee's report. We look forward to the ministry's response in November of this year. With great reluctance, because this is such an excellent report, I would move the adjournment of the debate.

On motion by Mr. Philip, the debate was adjourned.

Mr. Philip from the standing committee on public accounts presented the fifth interim report, 1988, and moved the adoption of its recommendations.

Mr. Speaker: The member may have a few comments.

Mr. Philip: The Provincial Auditor's 1987 report, section 3.4, dealt with the ministries' internal audit operations and pointed out a great number of improvements that were needed.

Section 4.4 pointed out some problems with the Ontario student assistance program in the Ministry of Colleges and Universities. This report also deals with the need for improved administration of institutions required by the Ministry of Correctional Services. It also deals with the better management practices needed at the mines and minerals division in the Ministry of Northern Development and Mines. It also deals with improved budgeting compliance and measures needed in the Futures program in the Ministry of Skills Development.

The report also deals with the Provincial Auditor's report dealing once again, Mr. Speaker—and I know this will be a surprise to you—with the Ontario Provincial Police telecommunications project, the office of the chief coroner and the Ministry of the Solicitor General.

The committee makes a number of recommendations, which I am sure each of these ministries is now probably implementing.

On motion by Mr. Philip, the debate was adjourned.

MOTIONS

INTERNATIONAL OMBUDSMAN CONFERENCE

Hon. Mr. Conway moved that a subcommittee of three members of the standing committee on the Ombudsman be authorized to adjourn to Canberra, Australia, to attend the fourth International Ombudsman Conference to be held there from October 23 to October 27, 1988.

Motion agreed to.

STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Hon. Mr. Conway moved that, notwithstanding any previous order of the House, the House authorizes the meetings of the subcommittee on agenda and procedure of the standing committee on the Legislative Assembly held at the National Assembly of Quebec on Wednesday, October 5, 1988.

Motion agreed to.

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon. Mr. Conway moved that Mr. Swart be deleted from the order of precedence for private members' public business, and that all members of the New Democratic Party caucus listed thereafter be advanced by one place in their turn, and that, notwithstanding standing order 71(h), the requirement for notice be waived with respect to ballot item numbers 35 and 36.

Motion agreed to.

MOTION TO SET ASIDE ORDINARY BUSINESS

Mr. Brandt moved, pursuant to standing order 37(a), that the ordinary business of the House be set aside to discuss a matter of urgent public importance, that being the waste management crisis in the province and the present government's mismanagement, total lack of leadership and absence of planning for the future with regard to this matter, resulting in a rapid depletion in the capacity of existing landfill sites, municipality pitted against municipality, exorbitant costs being incurred by those seeking to act responsibly in the disposal of waste materials, the ever-increasing threat to our quality of life, the threat to the health of individuals living in the vicinity of leaking landfill sites and the incremental destruction of our natural environment.

Mr. Speaker: This notice was received in my office at 12:54 p.m. on October 14. Therefore, the motion is in order. I will listen to the honourable member for up to five minutes, as well as representatives from the other two parties.

Mr. Brandt: I truly believe this is a matter of urgent public business in that the crisis—and I do not use that word lightly—is certainly mounting in Ontario as it relates to the problem of municipal landfill sites.

As I had the opportunity to tour the province this past summer, I had occasion to discuss with a number of municipal leaders what their number one or most serious problem was. Time and again, in virtually every case where I had an opportunity to meet these municipal leaders, they indicated that the Ministry of the Environment was their most serious problem and, more specifically, the minister's dealing with their landfill sites.

The minister, in response to my questions in question period earlier today, indicated that there has been a very substantial amount of money spent on recycling programs and the blue box program. I applaud the minister for that action, but I would like to say that his \$7 million commitment pales when one looks at the cost of \$1 million a month that Halton is paying simply to haul its garbage out of the country, out of the province into a foreign jurisdiction, because there is no place in Ontario where it can dispose of its garbage, right here in its own community and its own area.

I think that is a disgusting situation when we would, in fact, be highly critical if there were garbage being created in the state of New York and shipped into Ontario. I can imagine the hue and cry from many of our citizens, indicating how irresponsible it was of another jurisdiction to expect that we were going to take its waste.

I have heard members in this very House make that comment, so the reverse situation is totally unacceptable to me. It is interesting to note that while the minister takes credit for this increase in spending that he is committing to the recycling program, during the term of his office not one new municipal landfill site has been created. Not one new site has been put in place to help solve one of the most serious problems our society is attempting to come to grips with today.

All he has is three years of applications before him from municipalities that are spending literally multimillions of dollars, and no approvals. I think it is about time the minister came to grips very seriously with the frustration that is being sensed right across this province by both large and small municipalities that no longer can come to grips with the problem of finding a way to dispose of the wastes that are being generated in their own communities.

It is pointed out that with the best of intentions, the recycling program, even for the foreseeable future, perhaps into the next decade, will be a relatively small percentage of the total volume of garbage that is generated by our respective communities.

The fact of the matter is that we have to use a whole host of programs, one of the most important of which is to put in place that vital component in any kind of a waste program, an appropriate landfill site. Yes, I want them to be environmentally safe and I want them to be environmentally sound, but is it not about time that the minister made a decision? Is it not about time that he came forward and said to some municipalities, "Yes, the millions of dollars that you have spent is certainly appropriate, and we can now allow you to go ahead with your municipal landfill site so that you can dispose of your garbage."

In the municipalities, interestingly enough, of Welland, the Welland-Thorold area, where there has in fact—

Hon. Mr. Bradley: Oh, I wonder why we are mentioning that.

Mr. Brandt: Yes, I bring that one up because it is a matter of some interest to the people in that jurisdiction. It is interesting that two municipalities there are prepared to get together on a landfill

problem and join forces, but the minister has taken the rather dictatorial attitude that it has got to be a more regional and more comprehensive response to the problem, and that four municipalities or more have got to get together in order to solve the landfill problem.

If Welland and Wainfleet can get together and solve their problem, why not let them do that, because they have indicated they can extend the life expectancy of their landfill by 20 or 25 years if they are allowed to proceed?

The sense of frustration is not appreciated by the minister. He sits rather smugly, expecting this problem to solve itself, when the regions of Peel and Metropolitan Toronto and Durham and the Pickering area, and right across this province, including my own municipality, are fed up with his inaction and are fed up with the lack of response and municipal landfill sites not being created in this province.

Mrs. Grier: We in this party support the resolution that has been put forward by the member for Sarnia (Mr. Brandt). Let me say, at the same time, that we admire the effrontery of those who, while in government for 40 years, allowed the problem to fester for decades, but the failures of past governments are no excuse for the inaction of this government, a government that came to power three years ago with the strongest possible mandate to do something about the environment, a government that came to office with wide public support, public support that has been increasing daily as we have come to witness what the contamination of our environment is doing.

I know the minister will list the steps that have been taken and the money that has been spent, but it is a drop in the bucket compared to the magnitude of the problem. The steps this government has taken, the projects it has begun, have been baby steps, not the giant strides that are required if we are really to come to grips with the municipal solid waste problem, the industrial waste problem and the commercial waste problem.

The problem needs to be attacked on three fronts. We need to reduce the volume of the garbage we are producing in this province. The minister will talk about recycling programs. I think 70 municipalities are now participating out of 845 across the province. It may be more than that; it is certainly not a significant number. In the biggest areas, such as Metropolitan Toronto, it is coming, driven perhaps by the municipal elections on November 14 or by the deadline of

November 1 when the refillable containers have to be recycled.

By allowing those refillable containers on to the market in the first place, the minister demonstrated his lack of willingness to really get tough and try to reduce the volume of the garbage in the province. We have seen no action from this government to reduce packaging, no initiatives and no policy. We had a request to the minister earlier this year from environmental groups to ban styrofoam egg cartons, but no response from this minister. Reduction of garbage is obviously not a priority.

The second front the problem has to be tackled on is reducing the toxicity of what goes into landfills so that those people who are faced with the prospect of a landfill in their municipality may be less fearful than they have been because of the horrible examples we can all cite of landfills that have contaminated wells, contaminated waterways, and leaked throughout the province. We have no good program to deal with toxic incinerator ash. We have no meaningful programs to help people get rid of their hazardous household waste.

The third front on which this problem has to be dealt with, and the most signal failure of this government, has been to streamline the environmental assessment process. It is almost two years since the Canadian Environmental Law Research Foundation submitted a report and recommended amendments to the Environmental Assessment Act. The objectives of their recommendations were to make the act more efficient, more effective and more fair, precisely what municipalities that are faced with the prospect of finding landfill sites have been asking for.

What did the minister do? The minister appointed another committee to examine the Environmental Assessment Act and perhaps to respond and report a year from now or two years from now. The crisis has come upon us. It is no longer good enough to say we have pilot projects, to say we have new programs, to say we have committees studying it. The time has come when there has to be some action and some leadership from this government, and that has to happen now. I support this motion and I welcome the opportunity to participate in the debate.

Hon. Mr. Conway: I am delighted to have the opportunity to follow two distinguished members, the member for Sarnia and the member for Etobicoke-Lakeshore (Mrs. Grier), on a matter that they have brought to our attention.

I should say more specifically it is a matter that the leader of the third party has brought to the

attention of the House. Of course, as everyone knows, we here have a great deal of affection and regard for the interim leader of the Conservative Party of Ontario. I do, and I pay very great attention to the interim leader of the third party because I think he has served with some colour and some real character over the six or seven years since he was first elected in the spring of 1981.

In fact, when I saw this motion, my first thought was that this would give the House a perfect opportunity to assess the role the member for Sarnia played in those years when he had the responsibility to oversee the Ministry of the Environment. At a certain level, I thought this was a perfectly splendid opportunity to take the honourable member at his word and to look at a lack of leadership that I think can be found much more in the early 1980s than one will find under the stellar leadership provided by my friend the member for St. Catharines (Mr. Bradley).

I always listen to what the member for Sarnia says, and I was many miles from this city on Friday when I heard a report of the pre-session interview that the interim leader of the Conservative Party held, I think in these precincts, about the upcoming session.

1600

Hon. Mr. Bradley: They want to cut out the estimates.

Hon. Mr. Conway: I think the member for St. Catharines is quite right. I think I heard on the radio late Friday afternoon that the member for Sarnia, not unlike his distinguished seatmate the member for Nipissing (Mr. Harris), who very eloquently argued the case, "We need estimate time," as recently as last Thursday—you know, when those people speak, I listen and I try to the very best of my ability to respond. On Thursday, we had the Tory House leader saying, "We must get to estimates." On Friday, reports emanate from Toronto, at least to my part of the province, that no less a person than the interim leader of the third party says, "We must get to estimates because there is a lot to talk about."

I say, of course, I agree. That is why today, Orders and Notices puts before my friends in the third party the estimates they want so desperately to get to. What do we have now? They want to begin the fall term with an opposition day.

I have to ask, "What is it?" I know their internal dynamic is riveting these days. Can you imagine what it took to get the member for Cochrane South (Mr. Pope) from over there to down there and to get the member for Burlington South (Mr. Jackson) from over there to up there?

I can appreciate how the tensions have been building within the third party.

I am very, very anxious to accommodate, but I have to ask, "What is it?" Is it estimates? On Thursday, the Tory House leader said, "Estimates are a top priority." On Friday, the interim leader said, "We must get to estimates," and within moments—in fact, I worry because this matter of urgent and pressing concern has apparently some 72 hours' notice. I am not so cynical as to imagine, I say to my friend the member for Windsor-Riverside (Mr. D. S. Cooke), that while they were demanding estimates, they were writing a motion insisting on something quite to the contrary.

I say to my good friend the member for Sarnia that I want to oblige. I want to assist in these troubled times of internal discord. I want to facilitate in every way that I can the inclusion of a debate about the stewardship of the environmental dossier, because I have to say that on this side we are prepared to put the record and the leadership and the commitment of the member for St. Catharines, as Minister of the Environment in the Peterson government, against any record in the history of this province or anywhere across the country. That record stands very strongly for itself.

Interjection.

Hon. Mr. Conway: But I have to say to my friend the member for Riverdale (Mr. Reville), it is because I am so reasonable and it is because I am so anxious to accommodate the confused messages of the third party that I will say, on behalf of the government, that we will allow this opposition day to take place. We will give the Minister of the Environment a chance to show how good he has been, how strong and how forward-looking he has been on behalf of this government.

Mr. Speaker: Order. That completes the allotted time under standing order 37(a), (b) and (c), and we now have come to standing order 37(d). I must put the question, shall the debate proceed?

Agreed to.

Mr. Speaker: I remind all members that they may speak up to 10 minutes, until either six o'clock has arrived or we have run out of speakers.

WASTE MANAGEMENT

Mrs. Marland: The subject of waste management used to sound like a sophisticated cliché, but now it has become as sound as ominous as a

death bell as it tolls across this province. We can look at many regions, all with problems, all unresolved. Metro's garbage problem is now so well publicized that even the public understands the lack of solution by this Liberal government. Halton has been trucking its garbage to Niagara Falls, New York, for the past four years.

Where the regional governments around this province cannot resolve their garbage problems, it must then be the responsibility of the next level of government to show leadership and responsibility. The provincial government must mediate the crisis situations instead of running and hiding from yet another issue, the way it does on anything that is at all controversial and that it does not want to get itself tainted with. I use the example of Sunday shopping. They ran so far from that that they in fact transferred the responsibility to the local municipalities, just because they could not cope with it where it should be, at the provincial level.

Now, indeed, our government recognized that the Environmental Assessment Act was not working successfully and could benefit from some amendments. It is my understanding that we were interested in expediting the process of the environmental assessment, not in setting it aside.

I think at this point it is very important to correct what this Minister of the Environment (Mr. Bradley) is saying about my leader this afternoon when he says that the member for Sarnia (Mr. Brandt) is not in favour of the environmental assessment process and that we should just emplace landfill sites. I think that is grossly unfair, because this minister knows how inaccurate that statement is. My leader is committed to the environmental assessment process and he in fact was meeting with municipalities around this province when he was the minister to try to develop some amendments that would expedite the Environmental Assessment Act and make it work.

The very fact that we were already meeting with municipalities was an indication that there was work to be done. I think what has to be answered by this minister is why nothing else has been done in the last three years. You would think that, with all the practice and all the rehearsals he had as critic for the environment, he might well, when he became minister, be very knowledgeable of what was needed to be done as a remedy. Surely this minister must share the knowledge of what is needed.

Hon. Mr. Bradley: I wasn't the Environment critic; I was the Education critic. You have to get you writers to do adequate research.

Mrs. Marland: For the minister's benefit, I write my own speeches.

But instead, we have a fast-growing crisis from which any minister should not run and hide. I would like to give Peel as a perfect example of a disaster that has now been caused by a lack of direction by this Liberal minister.

The minister said earlier today that our government did not appropriately apply the Environmental Assessment Act. Well, with the situation that is presently in Peel, I would like to ask him if he feels that he is appropriately applying the Environmental Assessment Act. His ministry staff has been a constant part of a technical committee with Peel region staff from the very beginning, and that very beginning was now almost four years ago. Now, at the 11th hour, the minister gives "Notice of proposal to issue an order to require research."

What seems to be missed by this Minister of the Environment is the fact that the region of Peel has already spent almost \$4 million in research. The region of Peel does have a responsible government and it does have responsible staff, and it has prepared all the documentation for the hearing under the Environmental Assessment Act. They agree with the environmental assessment of a future site for garbage. However, nowhere in the Environmental Assessment Act does it say that more than one site must go forward. It says only in subclause 5(3)(b)(ii), "the alternative methods of carrying out the undertaking." It is referring to the undertaking being the application for a hearing. In this case, it so happens that the undertaking is a sanitary landfill site.

I would like to suggest that since it does not say there has to be more than one site, surely alternative methods of carrying out the undertaking, which obviously is what to do with garbage in Peel, would be very clearly and very well addressed during the environmental assessment hearing itself. I would suggest, in fact, that the three Rs would be included in those alternative methods—perhaps even reduce, reuse, recycle and a fourth, recover.

The situation today in Peel is extremely grave. I happen to be particularly knowledgeable about it because I was involved at the very beginning, when I was a regional councillor in 1984. First of all, and I think this has to be heard, we have a Premier (Mr. Peterson) today and a Minister of the Environment who are refusing to meet with the chairman of the region of Peel and the three area municipality mayors, Mayor Hazel McCallion, Mayor Ken Whillans and Mayor Emil

Kolb. We also have a Premier who chooses to ignore correspondence and presentations made to him.

1610

The Deputy Speaker: Order, please.

Hon. Mr. Bradley: Mr. Speaker, on a point of privilege: I appreciate the discussion of technical issues, but that is factually wrong. My office was in discussion with Mayor McCallion.

Mrs. Marland: Mr. Speaker—

Hon. Mr. Bradley: Please, wait until I finish. My office was in discussion with Mayor McCallion. There was a meeting that was offered—

Mrs. Marland: This is my time.

The Deputy Speaker: A point of explanation, thank you.

Hon. Mr. Bradley: There was a meeting that was offered to Mayor McCallion and she turned it down when she heard that other mayors would be there.

Mrs. Marland: It is not fair of the minister to use my time. He has his own time to serve a rebuttal later, and we already heard that one little diatribe earlier this afternoon.

Hon. Mr. Bradley: How can you say something which is not true?

Mrs. Marland: The point is that we have documentation from Rod McLeod, the deputy minister, to the regional chairman of Peel, where he does not, in fact, tell the region of Peel it is going down the wrong track. He does not tell it that it should stop its process. Since the last communication from his ministry in August 1988, because it was not told to stop the process as it was wrong, we have now spent an additional \$1.5 million of the taxpayers' money in the region of Peel. I think this is a totally irresponsible government to allow this to happen.

This Premier—the Premier of the open government of Ontario, I may add—met with the mayors of the four regions this summer, the mayors of Durham, York, Peel and Halton, at which time he used Peel as a prime example of progressive planning, including for nonprofit housing. The Premier promised to expedite the process because housing is his government's number one priority. He said he would cut red tape, he would streamline, he would do anything those mayors needed to get housing on line. The very fact that he will not expedite the environmental assessment process in order to get a landfill site in place so that we can afford to build more houses and manage the garbage in Peel is a very interesting contradiction.

I would suggest that the Premier of this province, along with his minister, is just doing window-dressing. They have thrown a roadblock in the way of the region of Peel.

This government ignores everyone and I would like to suggest that even if it ignores its fellow government members in municipal government, it should not choose to ignore an independent body such as the Toronto Home Builders' Association. The Toronto Home Builders' Association, with which this government is pleading to get on with building houses to resolve the housing crisis in this province, is being ignored. In fact, the president of the Toronto Home Builders' Association, Gordon Thompson, wrote to the Prime Minister on October 6 and has yet to receive a reply. In his letter, he pleads with the Premier to intercede and understand that a development freeze in the region of Peel, which has become necessary because we do not have anywhere to take our garbage as it is after 1990, especially now that the minister has said, "Go back and retest all the sites you haven't tested," which we know is adding two to five years in the process.

When the Toronto Home Builders' Association is asking the Premier to intercede and to resolve this problem, is it not ironic? This is the same Premier who said he wanted to make housing his priority. He allows his Minister of the Environment to impede the process of building houses because he does not understand waste management. He does not understand that you can have safe, thorough environmental assessment if you are fair with everybody all the way along the way.

You do not come in at the 11th hour and say: "No. My staff has been involved for four years. However, we've decided now that you're on the wrong track, region of Peel, and you go back and add two to five years to the process." That is an example of his knowledge of waste management, and I feel it is unfortunate that this minister does not study the waste management crisis and become aware of it.

The Deputy Speaker: The member's time is up.

Mr. McGuigan: It is a pleasure to join today in this debate to provide an Ontario government perspective on recycling and other exciting and challenging waste management initiatives which are changing the way our society deals with its waste.

With respect to waste management and environmental protection, this government is showing leadership by establishing policies and

programs which make sustainable development a viable long-term option. Sustainable development requires that we not allow one economic activity and its byproducts and wastes to cut its costs by damaging the resource base of another economic activity.

In order to implement the fundamental change in philosophy from the former government, the Liberal government increased the seniority of the Ministry of the Environment. No longer would it be the training ground for ministers on the rise or the reward for ministers on the decline. This Minister of the Environment is the longest-serving Environment minister this province has ever had. There are no more revolving doors.

The government has changed the approach of the Ministry of the Environment to environmental issues. It is no longer the ministry of environmental excuses but that of environmental protection. It takes a proactive role in environmental protection rather than a reactive one. It follows the old phrase "polluter-pays" principle as it tackles pollution at its source, and it believes that jobs and the environment are mutually beneficial. This Minister of the Environment is the protector of the long-term health of our economy.

As a result of this change in attitude, the province has created an Ontario round table, as recommended by the National Task Force on Environment and Economy, of which the minister was a member. This government has responded with enthusiasm to the potential benefits of sustainable development and is deeply interested in what a conservation strategy can do for this province's long-term future.

The panel of senior decision-makers representing government, small and large industry, agriculture and environmental organizations, labour and academics has a threefold mandate: to support joint sustainable economic demonstration projects by government, industry, labour, agricultural, environmental and other interests; to commission research on measures to further sustainable economic development and to disseminate this information; and to develop a provincial sustainable economic development strategy.

The round table will have the resources and the status to influence the course of public policy and will be planning and suggesting future government and private actions which will ensure the long-term health of both the environment and our economy.

If we are to move our society towards sustainable development, then we must build

systems that reward pioneers and penalize laggards in the field of waste management. Stiffer penalties put in place by this government, including jail terms for serious offenders, will provide real disincentives to those who fail to undertake proper waste management. I will just repeat that: jail terms to offenders. Amendments to Ontario's three major environmental laws dramatically increased the fines 10-fold, to \$100,000 per day, adding jail terms of up to one year. The most dangerous offences could incur fines of up to \$500,000 per day.

Courts are permitted to strip polluters of profits gained by polluting and to order abatement measures. Top corporate officials are now held personally liable for pollution. Financial security may now be required for abatement orders by MOE. I really want to put a lot of stress on the fact that the top people are now accountable. It is not enough to appoint someone in middle management and say, "Your job is to take care of pollution measures." The top people are now responsible.

Local and provincial governments are now brought under the provisions of the law. As well, by the end of 1985, a 63-member investigations and enforcement branch was established and mandated to bring the full force of the law against polluters. That branch has since been increased to a staff of 107. Since June 1985, environmental prosecutions have more than tripled and convictions have more than doubled. In addition, provincial environmental controls and assistance programs are significant forces in encouraging new approaches to waste management.

1620

The Ministry of the Environment provides clear directions on environmentally sound practices and regulator safeguards to ensure that new waste management operations do not repeat the mistakes of the past. Establishing new waste management facilities is more complex and certainly more expensive, but the risks and costs inherent in badly planned or operated facilities are no longer acceptable in our society.

The revised version of regulation 309 came into effect in September 1985 and contained measures which increased regulatory control over hazardous waste and improved the waybill system for waste haulers. I think members who were present a few years ago would know what a joke the waybill system was when it was first brought in.

The revised regulations include registration requirements for generators of hazardous and liquid industrial waste, expansion of existing

manifest requirements to cover solid hazardous waste, comprehensive definitions of hazardous waste and liquid industrial waste, and amendments to standards for hazardous waste carriers, including driver-training requirements.

The province recognizes the cost of proper waste management and provides a number of assistance programs to help municipalities do the job right. One of the most significant of these programs provides direct funding for recycling and has resulted in a giant leap in the number of municipalities recycling.

As well, the comprehensive funding program for the first time provides funding for the entire life of a landfill site, as well as additional support for the 4R program, or reduction, reuse, recycling and recovery program. The program includes a new financial assistance program which for the first time provides provincial aid to municipalities to establish landfill sites, transfer stations and processing sites. The eligible costs include technical studies, engineering design, hearings and approvals, public consultation and capital costs for land acquisition, construction and equipment, retrofitting and expansion.

Some municipalities serving a population of 7,500 or less are eligible for assistance totalling 75 per cent of these costs. Groups of municipalities are eligible for 60 per cent assistance. Regional municipalities and individual municipalities serving a population exceeding 7,500 are eligible for 50 per cent provincial assistance under this new program.

The comprehensive funding program often includes initiatives to promote increased use of reduction, reuse, recycling and recovery methods of managing waste more effectively.

Other components of the new program include increased funding for programs to upgrade existing landfills and make long-term waste management plans. There will also be more grants to help industries to develop new technologies for improving their processes and waste treatment systems and an increased emphasis on promoting more waste exchange programs.

The comprehensive funding program for waste management is a long-term commitment, developed in response to the long-standing needs of both industry and the municipalities for provincial assistance to enable them to upgrade their waste management practices.

These new directions in municipal and industrial 4R projects have the potential for making a real dent in Ontario's garbage production. For example, with the promotion of composting, we have gone beyond recycling and into recovery. I

might just say that I missed a great opportunity. My thesis that I did as an undergraduate was on composting. Sometimes my political opponents think that perhaps is an appropriate education for a politician. In any case, I would have made a lot more money going into the composting business than going into farming.

All the 4R solutions can be brought to bear on our various garbage crises—reduction, reuse, recycling and recovery.

The Deputy Speaker: The member's time is up; I am sorry.

Mrs. Grier: We have heard from the member for Essex-Kent (Mr. McGuigan) a very predictable litany of the initiatives and programs this government has taken, initiatives that are very worth while, initiatives that of course will make some contribution to the reduction of environmental problems in this province, but the point that those of us who pleaded for this emergency debate today want to make is that all of those initiatives and all of those demonstration projects are happening too slowly, on too small a scale, and there is no sense of urgency on the part of this government to really come to grips with the solid waste crisis that municipalities from one end of the province to another are facing and for which they are getting no significant assistance from the province to deal with.

I know the minister and the member for Essex-Kent have emphasized their initiatives on recycling. I want to repeat the figures that I gave earlier in question period. We produce in this province over four million tonnes of municipal solid waste a year. Even under the most optimistic predictions of over 1.5 million blue boxes in place in 1989, we are still going to be diverting only 7.1 per cent of that solid waste. That is better than we were doing last year and better than we were doing the year before but is not enough to come to grips with the crisis.

What we have to do is to begin to take some meaningful steps towards reduction of that waste, and that is where this government has failed most signally. That is where, again, municipalities and citizens are way ahead of the government in their desire and their demand for some action.

Let me remind the Minister of the Environment of the resolution that was adopted by the township of Peel in Wellington county in November 1987. That council passed a resolution which has since been adopted by 330 municipalities. It urged the Premier to enact legislation without delay that would limit, curtail and, in some instances, prohibit the manufac-

ture, use and distribution of bio-unfriendly materials and to enact legislation that will bring about an overall reduction in the volume of domestic, commercial and industrial waste generated through taxation, negative taxation, subsidies or other incentives as it sees fit.

That is a very clear invitation from the municipalities of this province to the Minister of the Environment, to the government, to take some action and to show some leadership. The actions that are required are not new. We know what the technology is. I suspect it was not 10 years ago, maybe not even 20 years ago, that the member for Essex-Kent did his thesis on composting. We know how to compost; we have known for a long time. What we do not have are any meaningful programs in place to assist residents of urban areas who want to compost. It is relatively easy if you live in the country. It is very important.

Hon. Mr. Bradley: What about Guelph?

Mrs. Grier: Guelph is one instance, and that is what I want to say again to the minister: One example at this stage in the game, after three years in office, is not good enough to really demonstrate that he is coming to grips with the problem.

We had the recommendations from the Canadian Environmental Law Research Foundation about the Environmental Assessment Act. I think it is the frustration that municipalities and the proponents of landfill projects have been feeling with the procedures under that act that have really led to the crisis we have today.

Hon. Mr. Bradley: They don't agree with those recommendations.

Mrs. Grier: They may not agree with the recommendations, as the minister is saying, but they all agree that the act needs to be redone, that the act needs to be rewritten and that the process needs to be made efficient, effective, fair, clear and simple. The recommendations of that committee are ones that I suspect none of us in this House would disagree with, even if, as the minister says, some municipalities disagree with them.

The conclusions of that report were that the process takes much longer than it needs to; insufficient funding and access is provided for those members of the public wishing to participate in environmental assessments; there is insufficient early planning to determine what will and will not be examined during the environmental assessment; there is insufficient scientific monitoring of projects after they have been approved to allow future improvements to the

process; there is insufficient enforcement of the conditions of approval attached to a successful environmental assessment; there needs to be a rigorous, early public process for focusing and setting the boundaries for assessments, and that should be made obligatory; to speed up the process, government and public review should be amalgamated, decisions on acceptance of the assessment document and approval of the actual project should be combined and other steps taken to streamline the process.

1630

If, instead of appointing yet another committee to review those recommendations, the minister had introduced to this Legislature amendments to the legislation, then we could have debated those amendments and those municipalities that disagreed with him could have an opportunity to come in and appear before committee and make their point of view heard. Assuming that the government majority did not overrule any amendments put by the opposition in response to those submissions from interested municipalities, we could have by now come up with a very much improved Environmental Assessment Act, an Environmental Assessment Act that would contribute to solving the problems the minister is faced with, rather than preventing the resolution of those problems.

I do not want to leave the impression the municipalities are blameless in this whole exercise. I entered municipal politics 20 years ago at a time when Metropolitan Toronto was attempting to build an incinerator in what is now part of my riding. In appearing before the Ontario Municipal Board then, I said to Metropolitan Toronto: "You ought to be into a recycling program. You ought to be doing more to reduce garbage."

The municipalities have been intransigent, they have been blind, they have been stubborn; but that does not excuse the Minister of the Environment from taking the attitude he is now taking, which is a hands-off one; they will look at the issue, they will fight among themselves and then they will make a recommendation to him which he will accept or reject.

What we need is some true leadership from this minister in getting down and sitting with the municipalities and resolving the problems. I know he says they are essentially environmental problems, but they are very much political problems too.

We have a political problem in Acton, for example, where a private project is now considering making an application for approval of a

landfill site in a quarry that has twice been rejected by the regional municipality's process.

What the minister has to do is realize that this is not an academic issue. It is not an issue that can be solved by him sitting in Toronto and saying to the municipalities, "Give me your best proposal and then I will tell you whether I like it or not."

If we in fact run out of places to put our municipal waste in this province, it is going to be the ordinary citizens and households from one end of the province to another who are going to suffer: people who are going to have nowhere to take their garbage if they live in apartment buildings; municipalities that are going to be paying enormous amounts, even more than they are now paying to try to dispose of it in some safe and environmentally sound way.

We have a crisis, a crisis of our own making, because we all contribute to the production of that garbage—what is it; six or seven pounds of garbage per person, I think is the figure we get, per week?

Mr. Reville: More for MPPs, I would think.

Mrs. Grier: More for MPPs, because we use Styrofoam cups in our lobbies, though a minister now tells me, since question period, that lo, miraculously, we may get some china ones.

We all contribute to it. We all wish to solve it. What the people of the province want is a minister who will say to them: "I will work with you to help resolve this problem. I will do my best with my funding and with my powers to institute regulations and programs that will make it easy for you to cut down on the amount of waste you generate and to increase the amount of waste that you recycle and reuse."

Until we get that kind of attitude, the crisis is going to continue, municipalities are going to be pitted one against the other and it is no longer going to be good enough for those in government to say, "Municipalities, you solve the problem first." That is not what the Minister of the Environment should be saying.

I am glad we are having this debate today. I hope that in his response at the end of the discussion we will hear some meaningful commitments to action, not further promises.

Mr. Cousens: I am indeed pleased that our party has drawn the attention of this House to the most important subject that is facing our province now. We have a major crisis looming. It affects all of us. It affects our children and it affects the future of our whole civilization unless we begin to take it seriously.

There is not any doubt that every person in this Legislature should become far more concerned

and far more involved with issues that pertain to the environment than ever before. In fact, if ever any of us can say that we are not environmentalists, then we have failed to understand the future of this country and this province. I am worried, and I think any of us who has seen what is happening within Metropolitan Toronto and the surrounding area knows that the problem is getting greater by the day.

Today marks the beginning of recycling in the town of Markham. At last, this community that I represent has taken this significant step forward. I just hope that the community is able to participate wholeheartedly in making it a successful venture. Recycling is certainly part of the issue, but we also have to understand we all have to reduce our garbage. We have to reuse what we can, and recycling has to be promoted.

I happen to live in the region of York, which borders on the town of Vaughan. In the town of Vaughan happens to be the largest landfill site, the Keele Valley landfill site. For the benefit of all members in and around Metro, it is close to the community of Maple, in the town of Vaughan.

It is important to this debate because the Keele Valley dump site is the largest dump site in Canada and the third-largest dump site in North America. One thousand garbage trucks a day roar through the small community in which this site is located. However, the real concern with this site is the manner in which the provincial government has dealt with the proposed study by Metro to expand the site to double its size.

In 1978, the Environmental Assessment Board turned down an application for a larger Keele Valley site and restricted it to a maximum of 245 acres of disposable area, because among other things, the site sits over two major aquifers which feed directly into the Don River, a major source of drinking water for thousands of Metropolitan Toronto, York and surrounding-area residents. As well, a larger site would, to quote the assessment board's own recommendations, "inflict excessive negative impact on the quality of life of Maple residents."

While the province has little to say in the deliberations of the proceedings of any quasi-judicial body like the Environmental Assessment Board, the fact is that the province does have a responsibility to deal with the environmental health of this province. Dumping a maximum capacity, which is rated at about 20 million tons, of raw sewage on the aquifers that feed the Don River makes about as much sense as letting children play with matches. Again, I realize that

the province has no direct culpability at this point.

What we know today about the garbage crisis is that its ramifications extend far beyond the issue of inconvenience. In fact, since the Keele Valley site was opened, there have been numerous reports of environmentally hazardous and international wastes being dumped at that site. However, in spite of recent moves by Metro to spend \$300,000 to study doubling the size and capacity of the current site, the Minister of the Environment has sat back idly, claiming that dump sites are a municipal concern. This attitude ignores the fact that the concern over dump site locations is not about the issue per se, but instead, it is about the environmental ramifications of dump site locations.

In spite of the fact, as the minister is aware, that the power to deal with dump site and waste site management belongs to the municipalities by virtue of provincial legislation which specifically derogates this power from the province to the municipalities, the Minister of the Environment retains the responsibility for the environmental soundness of the site.

It is for this reason that I would like to see that the minister call for a full environmental hearing on this Keele Valley site before any expansion is allowed to take place. This should include all the opportunities possible for submissions made by citizens, environmental experts and other specialists in the waste management field, under the auspices of the Environmental Assessment Act and the Environmental Protection Act.

The reality is that for both to take place, the Minister of the Environment will have to approve; if not, nothing can happen. He himself has to approve the process that is going to go through the Environmental Assessment Act. He has to say that this government is not going to allow this site to be doubled without its going through due process. That is the very large concern that I present to this House today. It is part of the growing crisis in our province of communities not knowing how to handle their waste and it is time for this province to give the leadership and to show it is committed to coming up with long-term solutions.

1640

All of us have concerns, as citizens of this province, to protect the future rights of our children. So it is that we should also be concerned about the community of Maple, a community of about 5,000 people. This community has been accepting garbage, less than one per cent of its own, for about 10 years. Already

it has about nine million tons there. It will grow to 20 million tons because that is what was approved. That means this dump site will be filled by 1992 or so. It is in the heart of the community.

I want to quote from one of the documents prepared by one of the community action groups opposed to the dump site being enlarged. This is a well-reasoned presentation and I hope the minister, though he is not listening now, will have a chance to read Hansard and understand the great concern the community is trying to present to him.

It says: "Obviously, no community wants a dump site in its backyard. Hence it is important that policy-makers distribute the bane of landfill sites equitably while considering alternatives to waste disposal, including recycling and incineration, if necessary. The town of Vaughan, and in particular the community of Maple, where the Keele Valley site is located, has borne the brunt of the south-central Ontario garbage crisis over the last decade. The town of Vaughan and the community of Maple have fulfilled all of the social obligations that living near a major metropolitan area offers by way of housing the Keele Valley landfill site." They feel, understandably, that enough is enough.

I share in the sentiments of the people of this community. The landfill site in this area accepts the garbage not only from Metropolitan Toronto but from York, Durham, Peel and, under recent orders by the Ministry of the Environment, the city of Orangeville and Tiny township and Midland as well. The long and the short of it is that the environmental concerns and issues of equity extend beyond the confines of any regional municipality. They are issues of a global nature and therefore properly belong to the provincial, municipal and federal governments working in concert.

The example I have highlighted here today is without argument. It is symptomatic of the garbage crisis in general. The people of Vaughan have voiced the legitimate concerns of their community and I, for one, have recognized the possibility of environmental peril if the Keele Valley site is expanded.

It is for this reason that I again stand opposed to the expansion of the Keele Valley site without a full hearing of the Environmental Assessment Board for it is with this hearing that the responsibility of the Environment minister begins and belongs.

We are dealing with a community that just thinks that garbage disappears when you load it

on the truck. Right now it happens to be ending up in York region, the riding of the member for York Centre (Mr. Sorbara). It also happens to be a problem that people think they are going to dump on to the Rouge Valley system, and we know the problems that have expanded around there. Thank goodness some sense prevailed, but it took a tremendous response from the whole community saying: "Come on, ladies and gentlemen. Do we want to destroy this environmentally sensitive area known as the Rouge by just causing more dumps?"

What we need to do is start by accepting the responsibility that is really ours. Let's bring together the regions and metropolitan government so that we can begin to get it done.

Hon. Mr. Bradley: So where should it go? Tell us where it should go. It shouldn't go to the Rouge, it shouldn't go to the Keele—

The Deputy Speaker: Order.

Mr. Cousens: The minister is abdicating the responsibility of this issue and unless he begins to take it seriously this problem is going to get worse. We are not going to let it get worse without him knowing his full responsibility.

Interjections.

The Deputy Speaker: Order. The chair will recognize one person at a time.

Mr. McClelland: All members in this House are very much aware of the magnitude of the municipal waste disposal problem we face in Ontario. Each year, in fact, Ontario alone produces enough household garbage to fill a line of garbage trucks extending from Windsor to Whitehorse. The challenge for all levels of government is to fulfil their responsibilities, to work together to solve this problem and to work with the pressures that are facing municipalities.

We are all aware of those pressures. The traditional waste disposal methods of burning and burying our garbage by themselves are proving to be inadequate, imprudent and wasteful. Landfills risk contaminating ground water with leachate. They often cause odour and traffic problems for nearby residents. As to the garbage itself, we are burying hundreds of tons of valuable resources. Society is realizing now that waste is a resource, and our attitudes are changing. Incinerators risk producing toxic rain which falls upon our crop lands and waterways. They also reduce a variety of resources that could be used repeatedly to one-time use as energy.

Citizens do not want to see landfills or incinerators built in their neighbourhoods. While the amount of garbage we produce continues to

grow with every passing new year, available land space does not grow. The cost of disposal has also risen dramatically. Municipalities are now charging as much as much as \$65 per ton.

The traditional load-tipping fees in landfills never reflected the true cost of properly locating, operating and decommissioning landfills. Municipalities today are not placing enough priority on planning and forecasting to meet the increasing waste management needs. The result is that planning has been delayed, leaving many municipalities with limited or no capacity as existing facilities are reaching their present capacity.

Often the existing approach to waste management is not sustainable in the long term for a variety of reasons, including reliance on landfill that requires municipalities to replace landfill sites every 20 years or so, and also the fact that landfill sites place increasing strains on lands that could be used more beneficially for agriculture or housing projects.

Municipalities often state that they feel that the provincial government should assume full responsibility for waste management in Ontario, and we have heard that sentiment expressed here today. But the blueprint for waste management issued in 1983 reviewed the status of waste management policies and practices and outlined the respective responsibilities of each level of government. In that blueprint we see broad public support, and it indicated that waste management is one of the rights and responsibilities of the municipalities.

The provincial government will assist municipalities in funding and regulating the approved process. To separate the producers of waste from their responsibilities to properly manage it would remove any incentive for proper waste management planning and recycling. Old practices of poor site selection and management have led to public discomfort with some waste management practices such as landfilling. As a result, the not-in-my-backyard syndrome has blossomed. People have demanded requirements for better planning and environmental protection and they deserve that.

Most demands have been met through the Environmental Assessment Act. One of the requirements is relatively straightforward. Identify your site, give reasons why it is good and reasons why it is better than alternative sites and methods of management.

We have found that one of the greatest delays in the environmental assessment process has been in site selection by the municipalities. The decision on what site to propose to the provincial

government for environmental approval appears too often to be based on local political considerations—for example, whose turn is it?—rather than where is the soundest and most ecologically and environmentally appropriate site for the location of that landfill.

Delays in solving the waste management problem must be tackled by all of us at every level. The provincial government has already begun to address its responsibilities. Our environmental assessment program improvement project is aimed at making the environmental assessment process more effective and more efficient. We are looking for ways to avoid unnecessary bottlenecks and paper jams which slow up the process. Even as we seek ways to make the act an even better guard of environmentally sound decision-making, we invite everyone to participate in this project.

One promising avenue of environmental assessment improvement is a study we are conducting of generic waste management alternatives. These results will be able to be used by proponents to address a number of questions raised at hearings and required in the EA documents themselves. This will cut duplication of effort and speed up the process without reducing environmental protection. Municipalities will not have to reinvent the wheel each time when planning waste management facilities.

1650

For us the best way for municipal officials to grapple with the difficulties of landfill locating is by recycling to conserve the landfill space they already have. We have heard some talk already today about recycling, but recycling in Ontario is becoming an established practice. It is supported by government, by industry and, most important, by the public of this province. A growing number of municipalities have joined the 10 per cent club, with 10 per cent of their wastes diverted from landfill by their recycling efforts. Some are approaching the 15 per cent diversion level. We are working with municipalities to go beyond the current blue box program.

We also realize that there are special challenges in northern Ontario which have resulted in slower progress. A Recycle North Task Force was formed to address these issues. Mayor Peter Wong of Sudbury was a member of that group and we appreciate his input. The government hopes to come forward soon with some new initiatives to deal with the north's special circumstances.

One municipality which rightfully should take some pride for the challenge it has taken to heart

and met wholeheartedly is the city of Guelph. Many of the latest directions in waste management are already being explored in that city. City-wide recycling in Guelph has been going on since the spring of 1987. They have already achieved a diversion rate of 13.5 per cent of household waste, an achievement that is to be noted and applauded, and I know they will continue to improve on that.

In fact, recently many apartment dwellers in that community expressed their desire to get involved in the Guelph effort. A pilot recycling project involving 2,000 tenants in seven apartment buildings proved to be a success. The Ministry of the Environment is now helping Guelph to extend recycling to every apartment building in the city, and by helping apartment dwellers to recycle, a diversion rate of 20 per cent may very well be feasible in that community.

As a government, we are also supporting a recycling demonstration project in Guelph to evaluate a mechanical sorting machine which will separate steel from aluminum cans, glass and two-litre plastic soft drink containers. The new sorting machine will automatically divide the container recyclables into different material components.

The Ministry of the Environment is also supporting Guelph's pilot waste recovery project to collect domestic and commercial organic waste material and produce marketable compost. The recovery project will evaluate the feasibility of implementing a full-scale, city-wide organic material recovery and composting system, an improvement which could push the diversion rate up to 30 per cent of the waste stream in that community.

As other Ontario municipalities follow Guelph's lead, these new directions in municipal 4R projects have the potential for making a real dent in our waste management problem. Through our funding programs, we are challenging municipalities to work with us to recycle at least 15 per cent of their waste in the coming year and up to 50 per cent by the year 2000. That is a goal that is achievable if we all work together co-operatively and put our minds to the task at hand.

The provincial government is developing meaningful ways in which private industry and commercial establishments will contribute to waste management. The soft drink container regulations introduced in December 1985 have resulted in the soft drink industry supporting the growing blue box programs across Ontario. The industrial 4R program is helping to tame waste

generation in a broad variety of industries, including newsprint, wood, food processing, cardboard, steel, plastic and electroplating.

With government support, several municipalities are planning to implement recycling programs for commercial establishments. In order to promote the four Rs, a few municipalities, including Peel, the region that I come from and represent, are closing their landfill gates to recyclable wastes such as cardboard and wood. I am proud to say that Peel will be doing that as of January 1, 1989, and other communities will also begin to take those kinds of initiatives as leadership is provided across this province.

The Ministry of the Environment is revising the issue of packaging, a very important area, and its impact on waste. The plastic industry's sophistication in developing and marketing products far outstrips the performance in developing recycling and recovery systems. Practical solutions are required for dealing with the wastes created by their products.

The minister has announced that he intends to expand the scope of recycling. The advisory committee has monitored the soft drink industry's compliance with the ministry's container legislation. The minister will also broaden the mandate of that committee to study waste, to expand the range of materials and packaging beyond those that are now being employed for recycling.

In conclusion, this government has shown considerable leadership in waste management planning, but not only has it shown that kind of leadership, it is also working together with other sectors of society to develop effective waste management strategies. This government will continue to do so, to show leadership, to work together and work in a positive effort to deal with this problem of significant magnitude.

Mr. Mackenzie: One of the reasons we are having this emergency debate here today on waste management is simply because the leadership has not been adequate and there has not been enough done on this problem. We have known it was coming for a long time.

Part of the emergency in terms of waste management is the problem of some of the types of waste, and I am referring specifically to polychlorinated biphenyls in storage around this province. I do not think there are an awful lot more dangerous or potentially dangerous storage sites, and the number of sites should concern all of us. Recent ministry figures show that there are 988—there have probably been more added to that since—PCB storage sites in Ontario, including

308 major sites, defined as a storage site containing 1,000 litres or more of PCB liquid waste.

It really startled me—I guess I should have expected it—when I took a look at the list and found that the west-central region, Hamilton, had 62 major sites and 134 minor sites where they were storing PCBs; that is 196. When you think that the central region, Toronto, which is probably five or six times the size in total, has only 404, just about twice what we have in the Hamilton region, that certainly puts us in a high-concentration area.

One of the things that really concerns me is the information that has come out that we have PCBs stored not only at the Woodward Avenue sewage treatment plant, where we have had a lot of problems in terms of workers' health problems, but also the Woodward Avenue waterworks and the intake. As a matter of fact, we have PCBs stored within 30 or 40 feet of the water intake for the entire city of Hamilton, and that has been an area of some concern for the citizens recently.

I think it was put well in a recent meeting in Hamilton by Ed Herechuk, president of Local 772 of the International Union of Operating Engineers, who represents the workers in the sewage treatment plant, when he said: "It's a major concern for the safety of the entire population of Hamilton. Large quantities of PCBs are stored within 20 or 30 feet of the one and only waterdraw for the whole city. Think about that. If it doesn't scare you, I don't know what will."

I simply say that with these kinds of storage sites and the locations they are in and the fact that there is the technology to get rid of this now, although it has been incineration, I do not know what this minister is doing and why we have not been moving long before this in terms of the storage of PCB waste in Hamilton.

I was struck by a piece I read recently, which goes as follows: "Incineration is the only method for destroying high-level PCB wastes (over 10,000 parts per million). As you know, although the Ontario Waste Management Corp.'s rotary kiln incineration will handle PCBs when it finally comes on stream, there is no incineration taking place anywhere in Canada except at the Alberta government's Swan Hills facility. Colin Isaacs of Pollution Probe maintains that the total amount of high-level PCB waste in all of Canada is small enough that, using US equipment (the US EPA has licensed both stationary and mobile PCB incinerators), we

could probably destroy it all in about six months."

There may be some reasons why we have not gone this route; I am not sure. But I do know that I do not like and the citizens of Hamilton do not like the fact that we have PCBs stored within a few feet of the one and only water intake for the entire city.

It is not only myself and it is not only workers at that plant who are concerned about this. I met on Saturday with Margaret Potter, who lives within sight of the plant in the north-end development of my city, and she had a petition of 800 names in that immediate area that was presented to civic officials. People want that material out of there. I am simply saying that part of our problem in terms of waste management is not just the general garbage and the problems we have with that; it is the kind of toxic substances we now have and the tremendous amount of PCBs we have sitting in something like 1,000 storage sites around Ontario.

I simply say to this minister and the members of his caucus that if they think we have done enough in terms of the waste management problem, we have not come near to doing enough. We are putting at threat, and that is a real risk. I think it is almost criminal that we have got those PCBs stored in a facility right at the water intake of a major city like Hamilton. I want to know what the minister is going to do about the PCB problem, as well as the others. Sometimes we get sidetracked from the individuals because we look at the whole issue. It seems to me that there is no justification at all for continued inaction, or at least not much faster action, to resolve the problem of destroying the waste PCBs around Ontario.

1700

Mr. J. M. Johnson: I am very pleased to participate in this debate. Members might be interested to know that I attended the official opening of the sewage treatment plant in Palmerston in the county of Wellington. The people there would like to thank the minister for his contribution and would remind him that he is remiss in not providing leadership in this very serious problem that we have for waste disposal.

The reeve of Palmerston, Cathy Keleher, who is the chairperson of the Wellington-Guelph waste management committee, asked me if indeed I would impress on the minister the urgency of leadership that is required from the Minister of the Environment to help to establish a safe site for the disposal of waste there. In Wellington, they have toyed with the idea of an

energy-from-waste facility, a landfill site, a combination of the two, or some method of disposing of it.

I think the member for Brampton North (Mr. McClelland) made mention of the fact that Guelph is a leader in recycling. I do understand that is true and I also congratulate them on taking that effort, but I might point out that there is a problem relating to the recycling. In the Guelph Mercury headlines of Tuesday, June 14, it says: "It is a catch-22 for the waste disposal issue. Wellington and Guelph are very concerned about this problem." It goes on in this editorial to suggest that, "Closer to home, a program in Peel region for the exchange of industrial waste materials has reduced waste flow by 60 per cent."

The minister nods his head. I think that is one of the problems we have, that the minister does not know what he is doing. The minister says he agrees with the statement that Peel has reduced waste by 60 per cent by recycling. I contacted the regional chairman, Frank Bean, who is a personal friend. I sent him a copy of the editorial and asked him if indeed they had achieved those results. I will read his letter, at least a paragraph or two. The letter is dated July 28 and it is addressed to "Mr. Johnson":

"Thank you for your letter dated June 22, 1988, regarding our region's industrial waste reduction efforts. Let me, first of all, correct our program's level of success, which is inconsistent to that cited in the newspaper article you sent.

"I would like to be able to say that we have achieved a 60 per cent industrial waste reduction figure as the article says. However, in actuality, the figure is approximately three per cent. We are confident, with the adoption of several new initiatives this year, that we will be able to reach our goal of 13 per cent industrial waste reduction by 1990."

I am not going to be too critical of the minister not knowing about that, but the problem is that many of the people out in the real world are not aware of the reduction that can be achieved by recycling. It is misleading for articles such as that to appear, saying that they can achieve a 60 per cent reduction when I think the minister knows that is next to impossible, certainly in the foreseeable future. Any of the people I have talked to in the United States or any of the other provinces seem to feel if they can achieve a one-third reduction, it is a commendable goal.

I think it would do us all a lot of good in this Legislature and certainly out in the communities that are concerned with these issues if the minister would provide factual information on

the reduction figure that is achieved today and what can be achieved in the foreseeable future; maybe in five-year periods and not using the example of some city such as Munich in Bavaria or some isolated incident. I am talking about a reasonable reduction figure that would apply to Ontario. That is one place the minister could provide some leadership.

Back to Palmerston and the problem with establishing a site. Cathy Keleher, as I mentioned, said the minister has to provide leadership. The warden in the county, Murray Cox, said it is the most frustrating year he has put in on county council, not being able to come up with some meaningful results to many years of study on this issue.

We have 21 municipalities in Wellington that surround the city of Guelph. It is Guelph versus the county, and it is municipal politician against municipal politician. It is not a fair position to place them in.

It is much the same position as we have with the city of Toronto. It is looking at the region of Durham to dispose of its waste, and I do not think it is fair to the region of Durham to have to take that waste. If we allow the city to grow unimpeded, then surely the city should have some responsibility for resolving its garbage problem.

I might make mention of the fact that the member for Etobicoke-Lakeshore (Mrs. Grier) paid tribute to the township of Peel sending a letter to the Premier, outlining proposals to solve some of the problems pertaining to waste. I would like to congratulate that township, as it is in my riding.

I might just mention that I fully support the recycling program. I have attended one opening and intend to attend another a week Friday. It is an initiative that we should be pursuing, but I do hope the minister takes into consideration the comments I made, that people should realize there is a limit to what can be recycled and have a better understanding of the process.

As a matter of fact, while we are on the topic of information, there have been proposals for an energy-from-waste facility in Guelph. Some people support it and some people are very strongly opposed to it. I wish the minister would delve into the problem of energy from waste. Possibly the London hospital plant would be one example of a facility. Either it is safe or it is not; either it has merit or it does not, but surely we should be able to determine if indeed there is any merit in proceeding in that direction.

Many people look at one third recycling, one third burial and one third incineration. Again, instead of having each municipal council in each region or each county trying to determine what is the best method of disposing of the waste, would it not make sense for the minister to try to set up a pilot project? Let's use Wellington as an example and find the best method possible of disposing of waste in a small county like Wellington, along with the city of Guelph, which make a fairly viable unit. If it is successful there, then it could be used in many other counties and regions of the same size, or it could be upgraded, depending on the population.

I think one of the problems we have in society is the fact that for many years people were simply able to take their garbage out into some back community and dump it. Then it came to having to bury it, which was not all that costly. That day is gone. The people in the country will no longer accept the waste from the city.

Most of the small municipalities will accept their own waste, but the cities are going to have a problem trying to convince the smaller municipalities and townships to take their wastes as well. I think the minister has a real job on his hands in providing the leadership that will solve that problem.

In closing, I would just like to make reference to the resolution that was passed by the waste management committee of the Association of Municipalities of Ontario delegates attending the AMO workshop on waste management and the approval process. They list half a dozen recommendations, and I think the major one is that "legislative duplication now exists to the extent that new landfill sites can require 10 separate approvals." That creates a lot of expense and a lot of delays.

"The present process fails to assign sole authority to whichever level of municipal government is responsible by statute for providing waste disposal facilities." One of the problems is that when waste overlaps into another jurisdiction and there are two, three or four municipalities involved, it becomes a very serious problem. That too is something the minister has to address, and certainly Metropolitan Toronto is just an example of that.

1710

Mr. Beer: This is certainly an issue all of us have a great deal of concern about. It is one about which, probably in every riding, in one form or another, we see expressions of concern in our local press and in terms of constituents who come

to see us, and it is one that clearly is going to be a major issue over the next number of years.

I think that in looking at the government's record and the leadership that has been provided by the Minister of the Environment, in point of fact we have been doing everything that we possibly can to move towards a resolution of this matter.

One of the problems we have had in dealing with this issue over the years has been the basic problem that things that ought to have been done previously were not done. We have been left with a number of critical problems in different areas where, frankly, as we all know, it is very difficult to bring everyone together because there has been the tremendous concern that while everyone is in favour of doing something about waste, they would prefer it be done somewhere else. What is really required, then, is to begin to build a consensus among all the players.

In the region of York, for example, I think it is fair to say that anyone who lives near the landfill site, the Keele Valley site, obviously would not want to see that expanded, with all sorts of other things added to it, any more than do the people around other landfill sites.

That part, in a sense, is easy. What is more difficult is building the consensus to develop appropriate sites that can take wastes, that can begin to cope with the problems we have, which I suppose we see most graphically in Metropolitan Toronto, and again today, in reading and hearing more about the waste from the airport.

In recognizing that we have a major problem here, I think that is not to say that the province, by itself, is the sole place where that is all going to be resolved. There are responsibilities that rest with municipalities and with regional municipalities. It has been said often enough that some of the difficulties Metropolitan Toronto finds itself with are ones that ought to have been addressed earlier, but those are there and we are going to have to find ways of dealing not only with the waste that is coming from Metro, but also, increasingly, from the areas around it. Shipping our waste either around the province or out of Ontario to other provinces or to the United States is clearly not something we will be able to do for ever. We have to find other solutions.

In dealing with waste disposal, it seems to me that one of the things we have to concentrate on is not simply waste disposal by itself, but also looking at the total environmental picture and what our overall approach is to that. Clearly, if all we do in trying to deal with the waste problems of the next 25 years is to try to find ever

more sites, and if we do not begin to address some of the problems in terms of how we are creating the waste, that is not going to be the answer. There is, if you like, a package of approaches and proposals we have to look at.

In doing that, we have the Environmental Assessment Act. Municipalities have to work within the guidelines of the Environmental Assessment Act. It may well be that there are ways in which we can improve how that process works so that we can deal with some of these problems more quickly, but just because of the issues that have come forward, we cannot simply throw everything overboard and just proceed to develop sites when we are not looking carefully at where they go and how we create them.

Landfill is one way, and it is an important way, of dealing with waste. There have been some tremendous developments in the technology regarding landfill sites. I suppose one of the unfortunate things today, with the fears and concerns people have around landfill sites, is that do not always take into account the improvements in the technology that have been developed over the last number of years in really being able to put together much safer sites, from a technological point of view, than were the case before.

The planning that is going to have to go into how we dispose of our waste is another area where the province and the municipalities, particularly the larger municipal groupings, also become very critical. Here, things such as packaging, which was mentioned earlier by the member for Brampton North, becomes critical.

What kinds of packaging are we going to allow in the future? How do we plan to deal with the question of plastics? Members may be aware that in one of the counties in New York state, the local legislature has taken a number of measures to try to deal with the question of plastic packaging.

The manufacturing and marketing of different kinds of products, consumer awareness and government leadership are all going to be required. If we take but one example of recent date, the number of municipalities that have now introduced meaningful recycling programs, we know that those programs, in and of themselves, are not going to deal with this problem, but they are certainly part of the solution. I think everything we can do as members in working with our own municipalities to develop these recycling programs is something we should do, and increasingly so.

I am aware that a number of the larger municipalities are now looking at that. We can

look at the example of a municipality such as Midland as one. In the region of York, a number of municipalities have just started or are about to begin recycling programs in the new year. It is important that we keep putting a lot of emphasis on that while we deal with the question of landfill as well.

I suppose when you come down to it, this issue is one where co-operation is most definitely required. In the jargon of the trade, we are really into a period of 4R—reduction, reuse, recycling and recovery. That is the context, that is the framework, within which we have to develop our policies. It will be no good if we say only that we must develop a whole series of landfill sites. Those are things we are going to have to do, but unless we do all of the other things together with that and work out a very close working relationship with the municipalities, all of this is going to come to naught.

I think that is the place where leadership is being shown by the minister in terms of his own personal involvement in these matters, in terms of his own personal commitment, in terms of his ability to work together with municipal leaders around these issues.

The other aspect of this is that we are going to have to have the active involvement of the federal government, because that has been another area. At times, it has withdrawn, either in terms of funding or in assisting the provinces and municipalities in being able to deal with these issues and these problems.

We recognize that there are serious problems and serious issues here, but we believe the government is taking forthright action and giving forthright leadership, and through those, we will find our way through this.

1720

Mr. Reville: I think congratulations are in order for the member for York North (Mr. Beer), who I understand was handed the ball only moments ago. He has dazzled us with his broken-field running, but it is too bad that the government of this province could not get a firmer grip on this ball and stop fumbling it all over the field.

It is fair to say, and I think it has been pointed out by others before me, perhaps more eloquently, although that would be unlikely, that in fact no government has done a particularly good job of coming to grips with the problems of waste management. These are not problems that burst full-grown on the scene today or even in 1985 when we experienced a change in government, although we did hope there was going to be fresh

air blowing in Ontario. Clearly, the air we are likely to be breathing is going to be fetid indeed as we increasingly have fewer and fewer options about where we dispose of our garbage.

There is a regrettable tendency on the part of engineers, I suppose, to think of burning and burying as the only two engineering solutions to the problem of garbage. Of course, the member for York North got his signals and talked about 4R. There are probably a couple of other Rs he should have mentioned, one of which is responsibility. Then there is the R that is six letters into "leadership," which we have not seen any of from this province.

I do not have the kind of environmental track record the Environment critic for our party has. It was not until 1980 that I was able to say to elected bodies that we should be reducing and recycling and reusing. I had an opportunity to serve on Toronto council and briefly on Metro council between 1980 and 1985 when the problem was already becoming acute, and the pleas of some of us, urged on by environmental activists, indeed fell on deaf ears, including the stonily deaf ears of the province.

In fact, it should not have come as a surprise to the most recent government that strong leadership had to be taken in the matter of dealing with our growing mountain of waste. Regrettably, for the first few years of this government, what we have seen is a lot of activity around incineration solutions. Regrettably for me as a local politician, two of those incineration options have been proposed for my riding, which already boasted, sadly, one of the dirtiest, filthiest, most disgusting garbage-burning incinerators ever to darken the skies of any community.

Thankfully, community groups said enough is enough and prevailed upon Metro council, with no help from the province, I might add, to close the darned thing this summer. That has had an interesting effect, though. We have just received our blue boxes. You will be pleased to know that I stand over my kitchen sink and wash out the cat-food can and then I put it on the floor and flatten it and then I put it in the blue box. I am waiting impatiently for November 2 so I can rush down to the curb with this box full of crushed cat-food cans and old Liberal pamphlets.

But it is regrettable that even this recycling program, which Metro council has finally been stampeded into—no thanks to other members of this House who used to serve there—is missing a lot of the boat, of course. It is not going to deal with apartments. It is not going to deal with industrial waste. It is not going to deal with

commercial waste. It is going to deal with my cat-food cans, and that is not enough.

Mr. Faubert: How many cats have you got?

Mr. Reville: I have thousands of cats. None of them vote Liberal; that is, if they want to continue to have a home.

Mr. Faubert: Oh, you've got them on the voters' list.

Mr. Breaugh: No. He said they were not Liberals and they won't be on the voters' list.

The Acting Speaker (Miss Roberts): Order.

Mr. Reville: They are alive too, so they will not be on the voters' list.

The Acting Speaker: Order.

Hon. Mr. Riddell: Their eyes aren't open yet.

Mr. Breaugh: Something like yours, Jack.

The Acting Speaker: Order. The member for Riverdale has the floor. I would ask all members to refrain from comments until the honourable member has completed his speech.

Mr. Reville: I will have to admit I am provoking some of the members, and it is high time they were provoked.

I understand the target for the Metro recycling program is to get 7.1 per cent of the waste stream by the end of next year, and that is better than the one per cent that has been managed up till now. But when you consider that the closing of the Commissioners Street incinerator means that an additional five per cent of garbage, which used to go up the stack and fall down in our backyards, get into teacups and up our noses, is now going to be in the waste stream again because, fortunately, that approach has been scotched finally, we get a net gain of about one per cent.

I cannot believe this Minister of the Environment, for all his charming skill at reciting the names of itsy-bitsy programs, is really satisfied with a net gain of one per cent in the waste stream that will not be going to landfill for Metro. It is just not good enough.

I think it is also true to say, as my leader said sotto voce, and which I think got its way into a question to the Minister of the Environment today, that our residents are quite prepared to do more. In fact, I am sensing a real enthusiasm for recycling and a real desire on the part of people everywhere in this province to see action by government that will deal with some of the absurd tonnage of packaging that we get surrounding everything we buy.

I do not know. Probably the member for Essex-Kent is urging on the government this neat plastic bag that is made out of old corn cobs.

Does the minister know about that neat plastic bag made out of old corn cobs? It is fully biodegradable. You put a little butter on it and you can eat it. It is an interesting idea and it is something that should be investigated.

There is a growing problem, and it will not do for this government to fiddle while we get buried in garbage, while we burn our garbage, while we bury garbage in other people's backyards. That clearly will not do.

I have a lot of sympathy for the member for Durham West (Mrs. Stoner)—I guess she is not here right now—who is trying to protect her community from being the repository for other people's garbage. Thankfully, I do not think there is any room in my community for a landfill site, but it certainly does feel under serious threat because of the two proposed incinerators and wants to have real access to the environmental assessment.

That brings up the question again of where the intervenor funding is that had long been part of promises made by members of this government, another promise that has not been fulfilled, notwithstanding the fact it is repeated over and over and over again.

I am happy to have added a few cents worth to this debate. Perhaps I could observe in closing that this is a good time for the government to get serious about the environment. Even some of the old-guard politicians who are still the scourge of parts of my riding have discovered the environment. They have fallen over it recently and now they too are taking credit for closing the Commissioners Street incinerator.

It is just an amazing thing to find out that when the people raise an issue long enough, even the deafest politicians finally listen, and maybe that could be the case for this government as well.

1730

Mr. Cureatz: It is with great pleasure and privilege that I stand in my honourable place on this wonderful afternoon on the first day of this fall session of 1988 to participate in a particular debate of which I have become very fond—

Mr. Faubert: An expert.

Mr. Cureatz: —and maybe somewhat of an expert, I say to the honourable member, who is now relegated to a position over on what we affectionately call, and I say to all the people at home listening, the rump of the Liberals over here.

I will not take up my time today, because it is short—nine minutes and 30 seconds—to try to relate some things to the minister, whom I have to compliment on being present today, in terms

of our discussion about the garbage crisis in the Golden Horseshoe.

I will say that there will come another time during a particular throne speech or budget debate in which we can expound on some other topics of great interest, I know, to all sitting members in the chamber, including the whip, who is in big trouble in his own city over Sunday shopping, I say to the Liberal member; but that is a debate for another time.

Let's talk about garbage, and let's talk about what has taken place from the Minister of the Environment and the Liberal government of Ontario, this huge, massive Liberal majority government, of which a third will be gone in 1991, so they might as well enjoy it while they are here, because they are finished.

One of the issues they are finished on is garbage, because they are not facing the issue that is affecting the people in Ontario. Oh, sure, we had a great clamour, "We are going to have openness in government; we are going to take leadership; we are going to take responsibility." We have not yet seen it from the Minister of the Environment.

I say to my New Democratic Party colleagues, from time to time they have been leaders on this issue. But I have only to remind them we are in third place and maybe one of the reasons we are in third place is because we did not have some foresight to examine some of the issues taking place.

What did the Conservatives do, though, in terms of initiative? I will tell the House—and the Minister of the Environment has said continually: "Where do you want it? What is the solution?"—one of the things the Tories did was establish a task force on liquid waste disposal. It was a long, gruelling affair, and I think it evolved that it should be taking place in Lincoln, a riding we lost. That might be one of the reasons we lost that particular riding. But I say to the minister, that should be the kind of approach he should be taking.

I have said in this House time and time again during opening statements and question period that there are municipalities in the Golden Horseshoe that are spending millions of dollars on trying to handle their waste. Durham, my area, is looking at York, York is looking at Durham, they are both looking over in Halton, Halton is looking at Peel, Peel is sending its trash down to the United States to be burned in the incinerator, which I will be talking about in one minute; and he is taking no leadership. I do not understand why he does not call the municipali-

ties together and say: "Folks, we've got a problem. Let's do something."

How about in my area? Metro Toronto has put my constituents through h-e-l, and I will leave the other "l" off so that I will not have to delegate myself in terms of using unparliamentary language in the assembly.

First they picked the Newtonville area, then they picked Bowmanville, then they picked Courtice, and then they announced they are not going to have any of them in Durham East, in my riding. Now they have come out and said, "No, N-1, the site in Newcastle in the Courtice area, is still going to be closely examined, now that the Rouge Valley site in Scarborough is off."

I say to the minister, he is swinging my constituents on a pendulum. They are lurching from one end to the other in terms of highs and lows on what Metro is doing with its garbage, and he is taking no leadership.

I have said before in the House, much to the chagrin of my own Conservative members, yes, the minister from time to time has made some positive statements about acid rain, Ontario and his concerns about what the United States is doing. Good for him. He is saying nothing at all about garbage. He is taking no leadership whatsoever, and if I have a minute, I am going to go to some of his press clippings on it.

What do we get today? We get a statement in the House about his concerns about going and petitioning the United States Environmental Protection Agency to begin the necessary legal procedures to force American acid rain polluters to clean up. That is great.

Now let's remind him—and I hope someone at home is listening, or someone in the press gallery—Halton is sending a good portion of its garbage down to Niagara Falls, New York, to, I think, the Hooker Chemicals Corp. They have changed the name to Occidental Chemical because they had such bad press over the other landfill site in the United States.

I will say that I do not have all my investigative processes up to date on this because it is such a large issue and I am critic of other areas, but I am getting phone calls and letters from people across the province, from other areas, giving me some valuable information.

In the minister's own riding, we had an opportunity of a caucus in St. Catharines. We met with the mayor and visited the landfill site in his own riding. Time and time again, we hear ministry officials say: "Don't worry about landfill sites. There're no seagulls." Someone did not tell the seagulls in the minister's own

riding because the seagulls were there flapping their wings and having a heck of a great time in his constituency.

What is St. Catharines doing with some of its garbage? Does the minister know? This is an interesting thing. It is sending—so the mayor told us—some of its garbage down to this incinerator in the United States. He is shaking his head and saying no. Ask the mayor: that is what he indicated to us. I do not think the minister knows what is going on in his own riding.

That incinerator, apparently, is the highest producer of dioxins in North America, and Ontario is sending its garbage down there to be burned. He is talking about acid rain. The stuff goes up in the air. Does the minister think dioxins and smoke stop at the international border? I have news for him. I do not think it does. I think the smoke blows back over into Ontario. He is talking about acid rain when he is as big a culprit in letting the municipalities across the Golden Horseshoe send some of their garbage down to this huge smokestack.

We all know we are not going to find a simple solution about how we are going to dispose of garbage. Recycling, I say to my colleagues, is not the answer. I have been finding that out, too. I have had some consulting companies phone me up. It is not the be-all and end-all because you have to follow the process to its culmination.

When you stamp on the can, as my NDP colleague indicated, and put it in the recycling process, where does it go? It goes back to the blast furnaces of the various steel companies. Who is monitoring what is going up the stack there? Is anybody monitoring those things? Is anybody monitoring what is going up the stacks in the plastic companies in their recycling processes? I do not think they are closely monitoring it.

I think the Ministry of the Environment should be taking a look at that and evaluating the whole recycling process. Maybe we should be thinking about incineration as part of a package deal. The minister is looking questioningly. I have heard that he and his staff are captive of Pollution Probe, that they are dead against incinerators. Why does the minister not do some kind of investigative process to see the kind of monitoring taking place with incinerators and what is going up those stacks as opposed to what is going up the stacks from those industries that are recycling or are purporting to recycle the various substances?

I say the recycling answer is not the full answer, certainly in terms of the percentages that

are going to be taken out of the present volume of trash from Metro alone for recycling.

Interestingly enough, in the Brock site, about which I have had a number of phone calls, I am wondering if the minister realizes, as he is dead against incineration, what is taking place out there. From time to time, there are continual concerns about the smell from the landfill site at Brock. They came up with a solution: they are going to dig trenches; the gas is heavier and settles in the trenches; they fan the gas out through the trenches and light it up in a big kind of pipe to burn off the smell of gas.

I want to know if the minister has some studies of what is going up the stack from that flare at the Brock site. I want to see if he has some dioxin studies. I am trying to say that it might be better to have a kaleidoscope of garbage problem-solving ideas, as opposed to the whole landfill site area. It might be worse sending the smoke up that stack at the Brock site and light up the methane gas or whatever is being produced as opposed to monitoring accurately an efficient, modern thermal plant which is burning waste.

What has the minister said about trying to get some co-operation in the Golden Horseshoe? Not a heck of a lot. The whip for the Liberal Party indicated, and I am going to remind him, that I brought this to the attention of the House a while ago. I just happened to have a camera up in the public gallery so that I could let my constituents know that this large Liberal administration is taking no initiative. Here is what he said back in August of this year: " 'Queen's Park wants to stay clear of the sticky problem of garbage disposal,' Environment minister Jim Bradley told a room full of municipal politicians yesterday. 'Waste disposal is a local responsibility,' Bradley said, 'and local politicians will just have to keep on taking the heat for landfill sites and garbage incinerators.' "

I say to the minister that is a heck of an approach, and I can only conclude by saying that he has to take all the alternatives for disposal with the same level of definition.

1740

The Deputy Speaker: The member's time is up. Order. The minister.

Hon. Mr. Bradley: I always enjoy the opportunity to listen to my colleagues, with their wonderful suggestions on what should not be done and what should be done. What is interesting to note is the number of different points of view that have emanated from one political party directly opposite, which asked for this particular debate.

I think the fact that each one of the speakers seemed to contradict the other is an indication of the dilemma in which people find themselves in dealing with this issue. But I welcome the opportunity to discuss the issue of proper waste management and I am pleased that the third party has finally realized the importance of protecting our environment.

This government will continue to provide leadership on the issues of waste management. It is leadership that is made more difficult because of the legacy of past mistakes of the former government. A case in point is recycling. During the former government's last year, it spent \$750,000 for municipal recycling programs. When we came into office, there were only seven blue box, multimaterial, curbside recycling programs in the province.

Our government's real support for municipal recycling has been enthusiastically received by a public that demands sound solutions, such as recycling, and that had in the past been starved of environmental leadership. In the past three years, we have increased funding for municipal recycling programs by more than 10-fold, to \$7.7 million annually.

Today, we have committed funding to blue box recycling projects in more than 75 municipalities across Ontario. More than 750,000 Ontario households now have regular curbside collection for a variety of recyclable materials. A little later this year we will be presenting a blue box to the one millionth household recycler in Ontario.

Recycling is diverting the disposal of waste from landfill. Last year, communities recycled more than 100,000 tonnes of paper, glass, metals and polyethylene tetrathalate soft drink containers. We expect this to reach 130,000 tonnes this year. We estimate that in 1989, the blue box program will divert 175,000 tonnes of household waste from landfill.

Industry is getting involved, as well. The soft drink industry, through Ontario Multi-Material Recycling Inc., has contributed \$20 million to the capital costs of municipal recycling programs throughout the province. I should point out that this positive industry initiative came only after government acted to establish a soft drink container regulation; more on that in a moment.

But we can and we will do much better than this. Increasing the use of 4R is a top priority, even as we continue to spread the blue box program to towns and cities across Ontario. We are developing ways of moving beyond the blue box program, in addition to that. Apartments

must be involved, composting must be encouraged, and industry and commercial establishments must develop a 4R approach to both their products and their wastes.

Members should remember this leadership in recycling was made possible because this government had the determination and political will to solve a problem the former government could not. For years, the former government wrestled with the soft drink container problem. The member for Sarnia went to cabinet with a submission and failed. Mr. Kells and Ms. Fish went to the cabinet with submissions and they failed.

Within three months of assuming office, the government announced a soft drink container policy that set recycling levels for the industry and held the industry responsible for the environmental fate of its containers. As a result, the soft drink industry formed OMMRI and committed \$20 million to assist municipalities in recycling. With industry and government support, recycling has become a significant factor in proper waste management.

When this government announced a comprehensive funding program for waste management in June 1987, it marked the first time funding was available to municipalities to address all the different stages of the life cycle of a waste management facility from start to finish. It marked the first time support was available to the private sector for our activities.

As a result of the comprehensive funding program, the waste management master-plan program budget has been enhanced. This program provides funds to groups of municipalities for long-range—20 years, for instance—planning for waste management.

A new financial assistance program to enable municipalities to implement landfills, transfer stations or processing facilities has been developed. Eligible activities include design, hearings and approvals, land purchase, construction and equipment costs.

The waste management improvement program budget has been enhanced. This program provides funds to municipalities for existing sites, to upgrade the sites, close sites properly and for investigative studies and remedial works.

The comprehensive funding program promotes the use of 4R by municipalities: enhancing the existing municipal recycling support program, creating the municipal reduction reuse program which provides grants of up to 50 per cent of promotion costs incurred by municipalities for activities that are aimed at changing

consumer attitudes or behaviour with respect to waste generating habits and so on. It goes on and on.

Mrs. Marland: On a point of order, Mr. Speaker: When I was speaking earlier this afternoon, the Minister of the Environment saw fit to stand and interrupt my speech. My reason for standing to interrupt his is not purely reciprocal, but it is to say that I think it is very unfair to refer to members who are no longer here, as in the example of Mr. Kells and Miss Fish.

The Deputy Speaker: That is not a point of order.

Mrs. Marland: I think the minister should be addressing the issue of waste management. On that point of privilege—

The Deputy Speaker: That is not a point of privilege.

Mrs. Marland: —on behalf of our former members, I really think this minister should apologize for referring to people who no longer are in a position to defend themselves.

The Deputy Speaker: Order, please. Will the minister proceed, please.

Hon. Mr. Bradley: I will continue, Mr. Speaker.

There is financial assistance to 55 industrial projects with a further 40 currently under consideration. This is the industrial 4R project that we are doubling the funding for.

The Leader of the Opposition (Mr. B. Rae) raises concerns about the threat to health of individuals living in the vicinity of landfill sites, and I listed a number of these that are litanies of mistakes in the past. On the one hand, one member of the third party gets up and suggests we should not apply the Environmental Assessment Act because it is too stringent. Then someone else gets up on the other side and says, "Of course, you should." They have to make up their minds.

Everybody on the other side has been able to rise and has been able to ensure they say what should not be done. In fact, we are saying what should be done and these are very positive moves on our part.

Mrs. Marland: On a point of order, Mr. Speaker: Is it not in the rules of this House that references made during speeches must be honest? I am asking you, Mr. Speaker. I think when you check Hansard you will find that some of the just-cited words from this minister are, in fact, not factual.

Hon. Mr. Bradley: If I may continue within the limits of a 10-minute speech, I recognize that the member for Mississauga South (Mrs. Marland) obviously does not want me to be able to list all the things the provincial government is doing to show leadership in the field of waste management. I know it would take an hour to do so.

Nor does she want me to talk about the Upper Ottawa landfill site, the Ridge landfill site, Stouffville, the Puzé landfill site, the litany of mistakes that were made by the previous government because it did not handle the problem of waste management in the appropriate fashion.

Our government has established, for instance, and enhanced the security fund for the emergency site cleanup of spills and landfill sites that this government and the people of this province were left with. It is a form of—I suppose you would call it a superfund.

I wonder if my colleagues across the way have really changed their spots regardless of their rhetoric. I see letters from the Leader of the Opposition asking private undertakings—I believe it was Unitec Disposals Inc.'s proposal for an expanded industrial waste landfill to proceed without designation under the Environmental Assessment Act.

The Conservative critic who urges the government to apply the EAA without exception, who holds the act to be followed without fail, was also a councillor of the city of Mississauga when Peel region eliminated several proposed landfill sites due to political considerations and not the primary concern, which should be environmental concern.

This government has a real commitment to environment.

Mrs. Marland: On a point of personal privilege, Mr. Speaker: The minister just made a statement about me that is inaccurate and I take very strong exception to it. He said that when I was a regional councillor in Peel, I made a decision that was purely political and I ask the minister to withdraw that comment right now.

Hon. Mr. Bradley: Mr. Speaker, when you face a situation where several potential sites are eliminated because in one case a mayor does not like one of the sites and in another case because it is not that municipality's turn to have the landfill any more, I call that a political decision and I think most objective, independent-minded people would refer to that as a political decision and not an environmental decision.

1750

Mr. Harris: On the same point of privilege, Mr. Speaker: I think when a member who has been around here as long as this member has, and is a minister of the crown, intentionally impugns motives of another member, there is something wrong, and I would ask you, Mr. Speaker, to ask him to withdraw.

Hon. Mr. Bradley: My friend across the way from Mississauga South is a person I have a great deal of liking for and respect for, and if she feels offended by those comments, I would certainly not want those comments to stand. She makes her decisions based on what she feels are the best decisions.

My observation is that the decision that was made on a council of which she was a member was a political decision. She disagrees with that, and if that is what she says—it was not, in her mind, her decision—I certainly accept her contention.

Mr. Charlton: I have been here for 11 years now and it really amazes me how little we have learned in this House. The member for Durham East (Mr. Cureatz) spoke earlier today. I happen to have been the Environment critic of this caucus for four years while the party that he represents was going through that phase of lacking foresight and I have some damage marks on my forehead as a result of banging my head against that wall.

I think we have come to a stage where we have debated questions of the environment, and specifically questions of waste management, in this House ad nauseam over the last decade. We hear all the rhetoric, all the right words in the debates. We hear people talking about the four Rs and we hear the minister get up and read off, as quickly as he can possibly read it, a prepared statement this afternoon about programs and progress.

What I fail to find in this debate is any real inkling of an understanding of the problems that confront us, and therefore any real understanding of how to approach the solutions. I would like to spend a few minutes giving some examples of that so that perhaps the minister and some of his colleagues can begin, just begin, to come to terms with what it is we face.

We have heard a number of people here this afternoon refer to packaging and the need to deal with the question of packaging. I will just quickly read to you a small excerpt from an election document of the Premier last year on the question of waste management and a reference to the question of packaging.

Mr. D. R. Cooke: What is the document?

Mr. Charlton: The document is a press release dated August 13, 1987. The Ontario Liberal Government Commitment to Recycling was the title of it, but it has three subsections under it. The first one is "Municipal Recycling," the second one is "Municipal Reduction, Reuse and Recovery."

"The MRRP helps municipalities, the private sector or others with projects designed to reduce or reuse municipal wastes. For example, MRRP offers help to private sector companies to design new packaging and to individuals using home composting."

All of that is well and good, but what it reflects is a very, very shallow understanding of the problem of packaging. Since we went to curbside blue box recycling in Hamilton, I have taken the time in my own home to divide my waste into three waste streams. I collect separately the compostable waste that is referred to in this release of last year. Obviously, I have to collect separately the recyclable waste, the blue box waste that is going to be picked up and recycled.

The third waste stream, all of it, 99 or 100 per cent of it, falls into the category of packaging. I challenge the members of the government party and any of the members of the third party to do what I have done: to divide their waste streams into three and to take note each week of the waste that ends up in the packaging waste stream. The packaging category makes up 50 per cent of the total waste stream. After we have recycled our 15 per cent and after we have taken out the compostable waste, 50 per cent of the waste stream is in packaging. I want to say to members of the government party that 70 per cent of that one half of the waste stream is unnecessary.

It is fine to talk about redesigning packaging and looking at how we can make plastics biodegradable and all the rest of those things once we have got rid of the 70 per cent of packaging that is not even necessary in the first place; it is totally wasteful in its very existence. I will support that, but the government must be prepared to pick up the fifth R that my colleague the member for Riverdale (Mr. Reville) suggested, that one called responsibility. That government over there and the minister over there must be prepared to take on the corporate sector in this province and those that import into this province from other jurisdictions on the question of wasteful, unnecessary packaging. It is a political decision, in spite of the fact that some do not like to have the decisions they make referred to as political decisions. This one is a responsibility

question, and it is a political decision that has to be made by the government of this province. If we want to get at that waste stream, we have to deal with that issue.

The other thing I want to say, and I am not going to have the opportunity to say all I wanted to say on this one, is that we have heard a number of members this afternoon refer to the not-in-my-backyard syndrome; we have all latched on to that one, but none of us understands it or wants to understand it or wants to deal with it and overcome it.

I am just going to quickly run through with members the Upper Ottawa Street landfill site in my riding. It is a landfill site that was operated, albeit under the former government, under provincial licence as a safe landfill site. They told the residents that the Niagara Escarpment is capped with Lockport dolomite, that it is impervious, impenetrable, that nothing will ever leak out of that site. The site leaks.

We had a government that licensed the site to accept industrial waste. It said: "It's safe industrial waste. It may be dangerous if you drink it, but it's not dangerous going into the landfill site." Now we have a study by a site study committee that says the health of that community was affected while that landfill site was being operated and that a whole range of diseases resulted from the fumes from those toxic wastes. We also have a site study that says that site is leaking like a sieve, when the governments—the local government, the regional government and the provincial government—all told the residents of that community that that operation was safe.

The point I am trying to make is that the not-in-my-backyard syndrome is a syndrome that is not based on something mystical. It is based on a failure of performance in this province. It is based on the real examples that real people have to look at and understand. Until we are prepared to, by example, go in and deal with the problems we created in the past when we told them it was safe and in reality it was not, they are not going to believe us that the next round is any safer than the last round.

It is time we stopped running away from the not-in-my-backyard syndrome and started going out there into the communities in this province and dealing with it and bringing the people along with us in the development of our waste management strategies so that they understand and feel comfortable with the answers we ask them to accept.

The House adjourned at 6 p.m.

ALPHABETICAL LIST OF MEMBERS*
(130 seats)

First Session, 34th Parliament

Lieutenant Governor: Hon. Lincoln M. Alexander, PC, QC

-
- | | |
|---|--|
| <p>Adams, Peter (Peterborough L)
 Allen, Richard (Hamilton West NDP)
 Ballinger, William G. (Durham-York L)
 Beer, Charles (York North L)
 Black, Kenneth H. (Muskoka-Georgian Bay L)
 Bossy, Maurice L. (Chatham-Kent L)
 Bradley, Hon. James J., Minister of the Environment (St. Catharines L)
 Brandt, Andrew S. (Sarnia PC)
 Breauth, Michael J. (Oshawa NDP)
 Brown, Michael A. (Algoma-Manitoulin L)
 Bryden, Marion (Beaches-Woodbine NDP)
 Callahan, Robert V. (Brampton South L)
 Campbell, Sterling (Sudbury L)
 Caplan, Hon. Elinor, Minister of Health (Oriole L)
 Carrothers, Douglas A. (Oakville South L)
 Charlton, Brian A. (Hamilton Mountain NDP)
 Chiarelli, Robert (Ottawa West L)
 Cleary, John C. (Cornwall L)
 Collins, Shirley (Wentworth East L)
 Conway, Hon. Sean G., Minister of Mines (Renfrew North L)
 Cooke, David R. (Kitchener L)
 Cooke, David S. (Windsor-Riverside NDP)
 Cordiano, Joseph (Lawrence L)
 Cousens, W. Donald (Markham PC)
 Cunningham, Dianne E. (London North PC)
 Cureatz, Sam L. (Durham East PC)
 Curling, Hon. Alvin, Minister of Skills Development (Scarborough North L)
 Daigeler, Hans (Nepean L)
 Dietsch, Michael M. (St. Catharines-Brock L)
 Eakins, Hon. John F., Minister of Municipal Affairs (Victoria-Haliburton L)
 Edighoffer, Hon. Hugh A., Speaker (Perth L)
 Elliot, R. Walter (Halton North L)
 Elston, Hon. Murray J., Chairman of the Management Board of Cabinet (Bruce L)
 Epp, Herbert A. (Waterloo North L)
 Eves, Ernie L. (Parry Sound PC)
 Farnan, Michael (Cambridge NDP)
 Faubert, Frank (Scarborough-Ellesmere L)
 Fawcett, Joan M. (Northumberland L)
 Ferraro, Rick E. (Guelph L)
 Fleet, David (High Park-Swansea L)</p> | <p>Fontaine, Hon. René, Minister of Northern Development (Cochrane North L)
 Fulton, Hon. Ed, Minister of Transportation (Scarborough East L)
 Furlong, Allan W. (Durham Centre L)
 Grandmaître, Hon. Bernard C., Minister of Revenue (Ottawa East L)
 Grier, Ruth A. (Etobicoke-Lakeshore NDP)
 Haggerty, Ray (Niagara South L)
 Hampton, Howard (Rainy River NDP)
 Harris, Michael D. (Nipissing PC)
 Hart, Christine E. (York East L)
 Henderson, D. James (Etobicoke-Humber L)
 Hošek, Hon. Chaviva, Minister of Housing (Oakwood L)
 Jackson, Cameron (Burlington South PC)
 Johnson, Jack (Wellington PC)
 Johnston, Richard F. (Scarborough West NDP)
 Kanter, Ron (St. Andrew-St. Patrick L)
 Kerrio, Hon. Vincent G., Minister of Natural Resources (Niagara Falls L)
 Keyes, Kenneth A. (Kingston and The Islands L)
 Kozyra, Taras B. (Port Arthur L)
 Kwinter, Hon. Monte, Minister of Industry, Trade and Technology (Wilson Heights L)
 Laughren, Floyd (Nickel Belt NDP)
 LeBourdais, Linda (Etobicoke West L)
 Leone, Laureano (Downsview L)
 Lipsett, Ron (Grey L)
 Lupusella, Tony (Dovercourt L)
 MacDonald, Keith (Prince Edward-Lennox L)
 Mackenzie, Bob (Hamilton East NDP)
 Mahoney, Steven W. (Mississauga West L)
 Mancini, Hon. Remo, Minister without Portfolio (Essex South L)
 Marland, Margaret (Mississauga South PC)
 Martel, Shelley (Sudbury East NDP)
 Matrondola, Gino (Willowdale L)
 McCague, George R. (Simcoe West PC)
 McClelland, Carman (Brampton North L)
 McGuigan, James F. (Essex-Kent L)
 McGuinty, Dalton J. (Ottawa South L)
 McLean, Allan K. (Simcoe East PC)
 McLeod, Hon. Lyn, Minister of Colleges and Universities (Fort William L)
 Miclash, Frank (Kenora L)
 Miller, Gordon I. (Norfolk L)</p> |
|---|--|

Morin, Gilles E. (Carleton East L)
 Morin-Strom, Karl E. (Sault Ste. Marie NDP)
 Neumann, David E. (Brantford L)
 Nicholas, Cindy (Scarborough Centre L)
 Nixon, J. Bradford (York Mills L)
Nixon, Hon. Robert F., Deputy Premier,
 Treasurer of Ontario and Minister of Econom-
 ics and Minister of Financial Institutions
 (Brant-Haldimand L)
Oddie Munro, Hon. Lily, Minister of Culture
 and Communications (Hamilton Centre L)
 Offer, Steven (Mississauga North L)
O'Neil, Hon. Hugh P., Minister of Tourism and
 Recreation (Quinte L)
 O'Neill, Yvonne (Ottawa-Rideau L)
 Owen, Bruce (Simcoe Centre L)
Patten, Hon. Richard, Minister of Government
 Services (Ottawa Centre L)
 Pelissero, Harry E. (Lincoln L)
Peterson, Hon. David R., Premier and Presi-
 dent of the Council and Minister of Inter-
 governmental Affairs (London Centre L)
 Philip, Ed (Etobicoke-Rexdale NDP)
Phillips, Hon. Gerry, Minister of Citizenship
 (Scarborough-Agincourt L)
 Poirier, Jean, Deputy Speaker and Chairman of
 the Committees of the Whole House (Prescott
 and Russell L)
 Pollock, Jim (Hastings-Peterborough PC)
 Polsinelli, Claudio (Yorkview L)
 Poole, Dianne (Eglinton L)
 Pope, Alan W. (Cochrane South PC)
 Pouliot, Gilles (Lake Nipigon NDP)
 Rae, Bob (York South NDP)
Ramsay, Hon. David, Minister of Correctional
 Services (Timiskaming L)
 Ray, Michael C. (Windsor-Walkerville L)
 Reville, David (Riverdale NDP)
 Reycraft, Douglas R. (Middlesex L)
Riddell, Hon. Jack, Minister of Agriculture and
 Food (Huron L)
 Roberts, Marietta L. D., Deputy Chairman of the
 Committees of the Whole House (Elgin L)
 Runciman, Robert W. (Leeds-Grenville PC)
 Ruprecht, Tony (Parkdale L)
Scott, Hon. Ian G., Attorney General
 (St. George-St. David L)
 Smith, David W. (Lambton L)
Smith, Hon. E. Joan, Solicitor General
 (London South L)
 Sola, John (Mississauga East L)
Sorbara, Hon. Gregory S., Minister of Labour
 (York Centre L)
 South, Larry (Frontenac-Addington L)

Sterling, Norman W. (Carleton PC)
 Stoner, Norah (Durham West L)
 Sullivan, Barbara (Halton Centre L)
Sweeney, Hon. John, Minister of Community
 and Social Services (Kitchener-Wilmot L)
 Tatham, Charlie (Oxford L)
 Velshi, Murad (Don Mills L)
 Villeneuve, Noble (Stormont, Dundas and Glen-
 garry PC)
Ward, Hon. Christopher C., Minister of
 Education (Wentworth North L)
 Wildman, Bud (Algoma NDP)
Wilson, Hon. Mavis, Minister without Portfolio
 (Dufferin-Peel L)
 Wiseman, Douglas J. (Lanark-Renfrew PC)
Wong, Hon. Robert C., Minister of Energy
 (Fort York L)
Wrye, Hon. William, Minister of Consumer and
 Commercial Relations (Windsor-Sandwich L)
 Vacancy: Welland-Thorold

EXECUTIVE COUNCIL

Peterson, Hon. David R., Premier and President
 of the Council and Minister of Intergovern-
 mental Affairs
 Nixon, Hon. Robert F., Deputy Premier, Trea-
 surer of Ontario and Minister of Economics
 Conway, Hon. Sean G., Minister of Mines
 Bradley, Hon. James J., Minister of the Environ-
 ment
 Scott, Hon. Ian G., Attorney General
 Riddell, Hon. Jack, Minister of Agriculture and
 Food
 Eakins, Hon. John F., Minister of Municipal
 Affairs
 Kerrio, Hon. Vincent G., Minister of Natural
 Resources
 O'Neil, Hon. Hugh P., Minister of Tourism and
 Recreation
 Sweeney, Hon. John, Minister of Community
 and Social Services
 Elston, Hon. Murray J., Chairman of the
 Management Board of Cabinet and Minister of
 Financial Institutions
 Wrye, Hon. William, Minister of Consumer and
 Commercial Relations
 Grandmaitre, Hon. Bernard C., Minister of
 Revenue
 Curling, Hon. Alvin, Minister of Skills Develop-
 ment
 Fulton, Hon. Ed, Minister of Transportation
 Kwinter, Hon. Monte, Minister of Industry,
 Trade and Technology
 Oddie Munro, Hon. Lily, Minister of Culture
 and Communications

Sorbara, Hon. Gregory S., Minister of Labour
 Caplan, Hon. Elinor, Minister of Health
 Fontaine, Hon. René, Minister of Northern Development
 Ramsay, Hon. David, Minister of Correctional Services
 Smith, Hon. E. Joan, Solicitor General
 Ward, Hon. Christopher C., Minister of Education
 Hošek, Hon. Chaviva, Minister of Housing
 McLeod, Hon. Lyn, Minister of Colleges and Universities
 Patten, Hon. Richard, Minister of Government Services
 Phillips, Hon. Gerry, Minister of Citizenship
 Wong, Hon. Robert C., Minister of Energy
 Mancini, Hon. Remo, Minister without Portfolio
 Wilson, Hon. Mavis, Minister without Portfolio

PARLIAMENTARY ASSISTANTS

Ballinger, William G.: assistant to the Minister of Natural Resources (Durham-York L)
 Beer, Charles: assistant to the Minister of Education (York North L)
 Brown, Michael A.: assistant to the Minister of Mines (Algoma-Manitoulin L)
 Cordiano, Joseph: assistant to the Minister of Tourism and Recreation (Lawrence L)
 Faubert, Frank: assistant to the Minister of Revenue (Scarborough-Ellesmere L)
 Ferraro, Rick E.: assistant to the Minister of Financial Institutions (Guelph L)
 Haggerty, Ray: assistant to the Minister of Consumer and Commercial Relations (Niagara South L)
 Hart, Christine E. (Ms.): assistant to the Minister of Treasury and Economics (York East L)
 Kanter, Ron: assistant to the Solicitor General (St. Andrew-St. Patrick L)
 Keyes, Kenneth A.: assistant to the Minister of Health (Kingston and The Islands L)
 LeBourdais, Linda (Mrs.): assistant to the Minister of Intergovernmental Affairs (Etobicoke West L)
 Leone, Laureano: assistant to the Minister of Culture and Communications (Downsview L)
 Lupusella, Tony: assistant to the Minister of Government Services (Dovercourt L)
 Mahoney, Steven W.: assistant to the Minister of Industry, Trade and Technology (Mississauga West L)
 McClelland, Carman: assistant to the Minister of the Environment (Brampton North L)
 McGuigan, James F.: assistant to the Minister of Transportation (Essex-Kent L)

McGuinty, Dalton J.: assistant to the Minister of Skills Development (Ottawa South L)
 Miclash, Frank: assistant to the Minister of Northern Development (Kenora L)
 Miller, Gordon I.: assistant to the Minister of Agriculture and Food (Norfolk L)
 Morin, Gilles E.: assistant to the Minister of Colleges and Universities (Carleton East L)
 Nixon, J. Bradford: assistant to the Minister of Housing (York Mills L)
 Offer, Steven: assistant to the Attorney General (Mississauga North L)
 Polsinelli, Claudio: assistant to the Minister of Municipal Affairs (Yorkview L)
 Ruprecht, Tony: assistant to the Minister of Community and Social Services (Parkdale L)
 Smith, David W.: assistant to the Minister of Correctional Services (Lambton L)
 South, Larry: assistant to the Minister of Energy (Frontenac-Addington L)
 Sullivan, Barbara (Mrs.): assistant to the Minister of Labour (Halton Centre L)
 Velshi, Murad: assistant to the Minister of Citizenship (Don Mills L)

STANDING COMMITTEES

Administration of justice: chairman, Mr. Callahan; vice-chairman, Ms. Hart; members, Messrs. Chiarelli, Cureatz, Hampton, Kanter, Keyes, Philip, Ms. Poole, Messrs. Sola and Sterling; clerk, Deborah Deller.

Finance and economic affairs: chairman, Mr. D. R. Cooke; vice-chairman, Mr. Ferraro; members, Messrs. Haggerty, Kozyra, Mackenzie, McCague, Morin-Strom, Neumann, J. B. Nixon, Pelissero and Villeneuve; clerk, Todd Decker.

General government: chairman, Mrs. Stoner; vice-chairman, Mr. Mahoney; members, Mr. Black, Ms. Bryden, Messrs. Charlton, Daigeler, Mrs. Marland, Messrs. Matrondola, McLean, Owen and M. C. Ray; clerk, Franco Carrozza.

Government agencies: chairman, Mr. McLean; vice-chairman, Mr. Jackson; members, Messrs. Black, Breaugh, Dietsch, Furlong, Lipsett, Miss Martel, Messrs. Runciman, South and Velshi; clerk, Deborah Deller.

Legislative Assembly: chairman, Mr. Epp; vice-chairman, Mr. Morin; members, Messrs. Breaugh, Cordiano, Faubert, Hampton, J. M. Johnson, McClelland, Polsinelli, Sterling and Mrs. Sullivan; clerk, Smirle Forsyth.

Ombudsman: chairman, Miss Nicholas; vice-chairman, Mr. Elliot; members, Mr. Bossy, Ms. Bryden, Messrs. Carrothers, Elliot, Henderson,

Lupusella, MacDonald, Mackenzie, McLean, Miss Nicholas, Mr. Pollock; clerk, Franco Carrozza.

Public accounts: chairman, Mr. Philip; vice-chairman, Mr. Pouliot; members, Messrs. Ballinger, Carrothers, Dietsch, Mrs. Fawcett, Miss Martel, Messrs. Offer, Pope, Runciman and Smith; clerk, Douglas Arnott.

Regulations and private bills: chairman, Mr. Fleet; vice-chairman, Mr. Beer; members, Mr. Cleary, Mrs. Fawcett, Messrs. McCague, Pollock, Pouliot, Ruprecht, Smith and Sola; clerk, Tannis Manikel.

Resources development: chairman, Mr. Laughren; vice-chairman, Mr. Wildman; members, Mr. Brown, Ms. Collins, Mr. Leone, Mrs. Marland, Messrs. McGuigan, Miclash, Miller, Pouliot and Wiseman; clerk, Lynn Mellor.

Social development: chairman, Mr. Adams; vice-chairman, Mrs. LeBourdais; members, Messrs. Allen, Campbell, Cousens, Jackson, R. F. Johnston, McClelland, McGuinty, Mrs. O'Neill and Mr. Tatham; clerk, Todd Decker.

SELECT COMMITTEES

Constitutional reform: chairman, Mr. Beer; vice-chairman, Miss Roberts; members, Messrs. Allen, Breaugh, Cordiano, Elliot, Eves, Mrs. Fawcett, Messrs. Harris, Morin and Offer; clerk, Deborah Deller.

Education: chairman, Ms. Poole; vice-chairman, Mr. Reycraft; members, Messrs. D. S. Cooke, Furlong, Jackson, R. F. Johnston, Keyes, Mahoney, Miclash, Mrs. O'Neill and Mr. Villeneuve; clerk, Lynn Mellor.

Energy: chairman, Mr. Carrothers; vice-chairman, Mr. McGuigan; members, Messrs. Brown, Charlton, Cureatz, Mrs. Grier, Messrs. Matrundola, M. C. Ray, Runciman, South and Mrs. Sullivan; clerk, Tannis Manikel.

*The alphabetical list of members appears in each issue. The other lists, brought up to date as necessary, are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

CONTENTS

Monday, October 17, 1988

Members' statements/Déclaration de député

Child poverty, Mr. Allen	4897
Jean-Francois Aubé, M. Pope	4897
Persons Day, Mrs. Sullivan	4898
Inco Ltd., Mr. Laughren	4898
Landfill site, Mr. McLean	4898
Hospice Peterborough, Mr. Adams	4899
Homes for the aged and nursing homes, Ms. Bryden	4899

Statements by the ministry

Drug abuse, Hon. Mr. Peterson	4903
Apprenticeship training, Hon. Mr. Curling	4903
1988 Olympic Summer Games, Hon. Mr. O'Neil	4904
Acid rain, Hon. Mr. Bradley	4905

Responses

Drug abuse, Mr. B. Rae	4905
1988 Olympic Summer Games, Mr. Farnan	4906
Apprenticeship training, Mr. R. F. Johnston	4906
Drug abuse, Mr. Brandt	4906
Apprenticeship training, Mrs. Cunningham	4907
Acid rain, Mrs. Marland	4907
1988 Olympic Summer Games, Mrs. Marland	4907

Oral questions/Question orale

Child care, Mr. B. Rae, Hon. Mr. Sweeney	4907
Metropolitan Toronto Housing Authority, Mr. B. Rae, Hon. Mr. Peterson	4909
Waste management, Mr. Brandt, Hon. Mr. Bradley	4910
Élection de conseillers scolaires, M. Pope, l'hon. M. Scott	4911
Trustee representation, Mr. Pope, Hon. Mr. Scott	4911
Workers' Compensation Board, Miss Martel, Hon. Mr. Sorbara	4913
Landfill site, Mrs. Marland, Hon. Mr. Bradley	4914
Fire prevention, Mr. Faubert, Hon. Mrs. Smith	4915
Recycling, Mrs. Grier, Hon. Mr. Bradley	4915
Metropolitan Toronto Housing Authority, Mr. Harris, Hon. Ms. Hošek	4916
Breast cancer, Ms. Collins, Hon. Mrs. Caplan	4917
Social assistance, Mr. Allen, Hon. Mr. Sweeney	4917

Petitions

Parliamentary assistant, Mr. Laughren, tabled	4919
Retail store hours, Mrs. Stoner, tabled	4919
School opening exercises, Mr. J. M. Johnson, tabled	4919
Naming of road, Mr. Wildman, tabled	4919
Retail store hours, Miss Roberts, tabled	4919

Madawaska trust park , Mr. Pollock, tabled	4919
Penetanguishene Mental Health Centre , Mr. McLean, tabled	4919
Quarry truck route , Mr. McLean, tabled	4919

Reports by committees

Standing committee on resources development , Mr. Laughren, adjourned	4920
Standing committee on public accounts , Mr. Philip, adjourned	4920

Motions

International Ombudsman Conference , Hon. Mr. Conway, agreed to	4921
Standing committee on the Legislative Assembly , Hon. Mr. Conway, agreed to	4921
Private members' public business , Hon. Mr. Conway, agreed to	4921

Private member's motion

Motion to set aside ordinary business , Mr. Brandt, Mrs. Grier, Hon. Mr. Conway, agreed to	4921
Waste management , Mrs. Marland, Mr. McGuigan, Mrs. Grier, Mr. Cousens, Mr. McClelland, Mr. Mackenzie, Mr. J. M. Johnson, Mr. Beer, Mr. Reville, Mr. Cureatz, Hon. Mr. Bradley, Mr. Charlton	4924

Other business

Legislative pages , Mr. Speaker	4897
Writ of election , Mr. Speaker	4897
Commission on Election Finances , Mr. Speaker	4897
Constitutional reform , Mr. Speaker	4897
Retail store hours , Mr. Philip	4899
Visitor , Mr. Speaker	4899
William Newman , Mr. Sterling, Hon. Mr. Riddell	4899
P. Michael Dewan , Hon. Mr. Riddell	4900
William Newman , Mr. Breagh, Mrs. Stoner	4901
Victor Copps , Hon. R. F. Nixon, Mr. Mackenzie, Mr. Jackson	4902
Members' anniversaries , Mr. Brandt	4910
Adjournment	4944
Alphabetical list of members	4945
Executive council	4946
Parliamentary assistants	4947
Members of standing and select committees	4947



No. 89

Hansard

Official Report of Debates

Legislative Assembly of Ontario

First Session, 34th Parliament

Tuesday, October 18, 1988

Speaker: Honourable Hugh A. Edighoffer
Clerk of the House: Claude L. DesRosiers



CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$16.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday, October 18, 1988

The House met at 1:30 p.m.

Prayers.

MEMBER'S REPORT TO CONSTITUENTS

Mr. Harris: Mr. Speaker, could I rise on a point of privilege? You, sir, as Speaker, are in receipt of a letter from a resident of Toronto concerning the free report of the Minister of Energy (Mr. Wong) that goes out to constituents in his riding. The letter indicates:

"I was most distressed to see the recent report of Bob Wong, MPP for Fort York. Mr. Wong's report openly endorses a candidate for the municipal elections at the expense of the taxpayers. I find this type of misuse of public moneys to be distasteful and unsavoury and I believe that it is your role to ensure that this type of blatant politics does not find its way into future constituency reports by any member of any party."

The article in question concerns Peter Maloney, a former executive assistant of Mr. Wong. I do not want to read it all into the record, but if you, sir, and members read it, clearly it is a very strong personal endorsement, campaign type of insertion in what is to be a constituency report of what is going on at Queen's Park.

I would ask you to concur with me and with this letter that there is in fact an abuse of privilege. I would also suggest that this letter be referred to the standing committee on the Legislative Assembly, along with the newsletter, for an investigation and possible disciplinary action.

Hon. Mr. Conway: Mr. Speaker, just on the point, I have not seen the report—

Mr. Reville: I saw it. It's terrible.

Hon. Mr. Conway: The member for Riverdale (Mr. Reville) says he has seen the report.

I would be very pleased to have the matter referred to you, Mr. Speaker. Quite frankly, I have a file of similar such information from, in some cases, I think, my friends in the third party. Perhaps at the time of your consideration and adjudication of the particular items to which the honourable member for Nipissing (Mr. Harris) directs our attention, you might as well want to look at some of the other material, because as

members such as the member for Algoma (Mr. Wildman) and others will know, we have struggled very vigorously over the years trying to find a protocol that would be fair and reasonable.

I must say that any time the Speaker or the Tory House leader wants to review that protocol with a view to its current level of enforceability, particularly as it affects all parties, I would be more than willing to second that motion.

Mr. Speaker: I have listened very carefully to the two members who have spoken. A letter was addressed to the Speaker. I have received it and I am dealing with it. As all members know, they are given by the House, through the Board of Internal Economy, three opportunities to address their constituents by mail. Therefore, I have really commenced looking after the item and have suggested that the first place should be the Board of Internal Economy. They can take it from there.

MEMBERS' STATEMENTS

CAMBRIDGE MEMORIAL HOSPITAL

Mr. Farnan: The Cambridge Memorial Hospital Board submitted a recovery plan to the Ministry of Health in mid-August. My understanding is that no changes were to be made to the operation of the hospital until that recovery plan was accepted.

As of yesterday, two months after the recovery plan was submitted, the Ministry of Health had not given any written response to the board of CMH.

At the same time, I have received several telephone calls from constituents who are concerned about the imminent closure of laboratory services for outpatients.

Surely the people of Cambridge have the right to know what this recovery plan is and whether the minister has approved it. Surely the people of Cambridge have the right to know if this recovery plan does indeed include any cuts in service or cuts in staff. If laboratory services to outpatients are being cut, while there may be a savings to the hospital budget, the ministry must recognize that, since the private labs can charge the Ontario health insurance plan, there will no savings to the taxpayer. As for the quality of service, that

provided by the hospital is as good as or better than that of any private laboratory.

My suggestion to the minister is, please cut out the cosmetics. Instead of transferring the cost and the expense from one budget to another, from the hospital to the private labs, with the taxpayers continuing to pay the bill anyway, why not simply maintain the laboratory services for outpatients at CMH? Does the minister realize that peoples' jobs are being lost?

DRUG ABUSE

Mr. Runciman: I have often heard that there is no such thing as a good Liberal idea, that most of the ideas they have are not good and that the few good ideas they do have are not Liberal.

The report of the Task Force on Illegal Drug Use in Ontario, released yesterday, illustrates this point. It recommends, among other things, that the Ontario Provincial Police drug enforcement section be expanded. That is a good idea. It is also a course of action which was recommended by this party last June, only to be rather summarily dismissed by the Solicitor General (Mrs. Smith). We can only hope, now that her colleague's report has confirmed our view that her government has not provided the OPP with sufficient resources to combat the drug problem, she will take a less cavalier attitude.

The Premier (Mr. Peterson) has said that his government recognizes illegal drug use as a serious problem and that there are a number of things it can do and do quite quickly. There are a number of things this government could have done five months ago, and we trust we will not have to wait another five months before action is taken.

The member for Muskoka-Georgian Bay (Mr. Black) has done a good job but, not surprisingly, given this government's sad track record regarding family issues, not enough emphasis has been placed on the serious problem of parental responsibility.

With respect to the OPP's recommendations, he has put the ball in the Solicitor General's court. We will watch to see if her response goes beyond a declaration of concern and good intentions, which has to this point been the sum and substance of her government's solution to the drug abuse problem.

1340

WORLD FOOD DAY

Mr. Faubert: On Sunday, October 16, peoples and governments around the world celebrated World Food Day. This event allowed

citizens throughout the globe to increase their awareness of world hunger and to examine and search for possible solutions to this very significant problem.

In commemorating the founding of the Food and Agricultural Organization of the United Nations in 1945, World Food Day also honours food producers here and abroad and encourages people to address their needs and concerns. We have the resources and technology to feed the entire global population, and yet one out of every seven persons in the world suffers the pains of hunger and malnutrition. The hungry are not only in the Sudan or Ethiopia, but are here in Canada as well. I am sure many members would be astonished to learn that in Metropolitan Toronto over 50,000 people a month require emergency food assistance.

I commend the Ontario Minister of Agriculture and Food (Mr. Riddell) for his efforts to raise awareness of this issue by raising its profile through the media, by circulating educational materials throughout Ontario schools and by encouraging the observance of World Food Day in the communities across this province. The theme for 1988 is "Food Security," to secure food is to secure our future.

As legislators, let us join together with other public servants, food producers, educational institutions, voluntary organizations and the citizens whom we represent to work towards a solution to this world problem.

FERTILIZER PLANT FEASIBILITY STUDY

Mr. Laughren: In 1982, New Democrats called for a study into the feasibility of a fertilizer plant in the Sudbury area using phosphate deposits from Cargill township up near Kapuskasing and acid from the Sudbury operations of Inco and Falconbridge.

In 1986, the Minister of Northern Development and Mines agreed to do a study. That study was done, completed, released and part of that study indicated that such a facility was indeed feasible, that there would be markets for the product by 1992, that 80 jobs would be created at the mine site and another 80 wherever the fertilizer plant was going to be built.

But, despite the positive aspects of that study, the minister has now gone into a deep stall and absolutely nothing seems to be happening. The consultant called for phase 2 of the study to be done to determine some of the technical aspects that would be required before the next step would be taken, such as who the major developer would be and where the markets would be and so forth.

The minister now says he will not proceed with that study unless the private sector gets involved.

We agree that the private sector should end up doing the project, but the minister should get involved through his ministry to complete the study, only part 1 of which was ever done. The minister has really weaseled out of his commitment to make sure that study was done. What is the sense of having a member on the government side if he cannot even get phase 2 of a study done?

ONTARIO ROUND TABLE ON ENVIRONMENT AND ECONOMY

Mrs. Marland: I want to express my concern with the membership on the Ontario Round Table on Environment and Economy, recently announced by the Premier (Mr. Peterson).

This panel of senior decision-makers represents government, small and large industry, agricultural and environmental organizations, labour and academics. This combination sounds wonderful, if it is well balanced. However, it is not well balanced. There is no representation from agriculture. The Minister of Agriculture and Food (Mr. Riddell) is not on the panel; nor is anyone from an agricultural organization. If the Premier thinks the representative from Quaker Oats qualifies, I hate to guess what he thinks of our farmers.

There is only one representative from the municipal level of government, but there are six provincial ministers and six business leaders. It is great to have the ministers on the panel, but the municipalities will be some of the major players when it comes to implementation of the panel's ideas. The Minister of Municipal Affairs (Mr. Eakins) should have been one of the first appointees to the round table.

There is a definite imbalance between the business point of view and the environmental point of view. Only two conservation organizations are represented on the panel. There should be more. I hope we can count on the Premier to rectify the imbalance and appoint the ministers of Municipal Affairs and Agriculture and Food, as well as additional representatives from the conservation and agricultural groups in Ontario. I look forward to the Premier's announcement in the near future.

TWINNING OF NORTH YORK AND CASSINO

Mr. Matrondola: It is with great pleasure that I rise today to inform the House of an event that took place last week. On October 11, 1988, the

city of North York and the city of Cassino, Italy, celebrated the signing of a pact of twinning. On October 11, 1987, exactly one year before, a number of people from North York, including myself, travelled to Cassino for the first phase of the twinning and this month a delegation from Cassino came to North York for the second phase.

This pact of twinning was especially moving for me, as Cassino is my place of birth. Cassino is situated between two rivers, Rapido and Gari, at the foot of the mountain from which rises the renowned abbey of Montecassino. Cassino, destroyed 100 per cent by the ravages of the Second World War, was awarded a gold medal for military bravery and is now a modern, beautiful city, one of the most important industrial and commercial centres in the region of Lazio, in central Italy.

The cities of North York and Cassino are similar in many respects. A large number of North York's Italian-Canadians came from Cassino and district.

While the delegation was in Toronto, it toured a number of sites, including the Legislative Building, the Royal Ontario Museum, Ontario Place and Niagara Falls. I wish to point out that they loved every moment of their visit here in Ontario.

I would like to take this opportunity to congratulate Mayor Mel Lastman of North York, Mayor Marcello Di Zenzo of Cassino and the councils of the cities of both North York and Cassino for this fine achievement, as well as the Val Cassino Social Club and a number of citizens and corporate sponsors, both here and in Cassino, who played an important role in ensuring that this goal was achieved.

Mr. Speaker: The member's time has expired.

ACCESSIBLE TAXI PROGRAM

Mr. Harris: I would like today to call on the Minister of Transportation (Mr. Fulton) re the accessible taxi program and ask him when we are going to get this program into ridings like Nipissing and cities like North Bay. I call on him today to stand up in the House and tell us when.

Mr. Sterling: May I ask unanimous consent of the House to bring to the House information about a former member, Jules Morin, who passed away on September 23 of this year?

Agreed to.

JULES MORIN

Mr. Sterling: It is with regret that I bring that news to the House. Mr. Morin sat as a member of

this Legislature from 1955 to 1971, well representing Ottawa East for a period of 16 years. Mr. Morin was also able at that time to sit as an alderman on the city of Ottawa council, from 1944 to 1974, as it was possible to hold both those positions at that time.

Mr. Morin started out from humble beginnings. He first became a milkman, then a merchant, and was active with his family in business until his death. He was always accessible to his constituents, who often went to his store if they had a problem. Jules Morin started from humble circumstances and was always willing to represent with enthusiasm people who were in difficulty.

Mr. Morin took an active interest in the Central Canada Exhibition, where he was honoured with a lifetime directorship. Jules Morin was a hard worker all of his life, for his family, his church and his community. He will be remembered by many in Lower Town Ottawa for his encouragement and help. The Progressive Conservative Party of Ontario expresses its sympathy to his wife, Molly, and his family.

Hon. Mr. Grandmaître: I would like to do the same on behalf of my party.

Monsieur le Président, je crois que les paroles que vient de prononcer mon ami conservateur, qui a siégé avec Jules Morin pendant plusieurs années, sont tout à fait appropriées. J'ai connu Jules Morin depuis ma tendre jeunesse, et M. Morin était reconnu non seulement comme un politicien mais aussi comme une personne dévouée à sa communauté. Il n'a jamais jugé les gens sur leur couleur, leur religion. Alors, le Parti libéral, ainsi que tous les membres de cette Assemblée, Monsieur le Président, convient de vous faire parvenir les condoléances les plus chaleureuses de la part du Parti libéral. Merci.

1350

M. B. Rae: Monsieur le Président, de la part de mes collègues du Nouveau Parti démocratique, j'aimerais exprimer nos condoléances à la famille de M. Morin, un collègue de beaucoup d'entre nous. Nous espérons que les bons sentiments de ses collègues, des gens qui ont travaillé avec lui, vont les aider à accepter cet événement si triste dans leur vie.

We share with all members the sentiments that have been expressed by my colleague the Minister of Revenue (Mr. Grandmaître) and my good friend the member for Carleton (Mr. Sterling) and say that we too express our real sadness at the loss of Mr. Morin. We would like very much to send best wishes on the part of all members to members of his immediate family.

We hope that the good feelings that are expressed here and indeed in Ottawa and in many parts of the province will help the family in accepting this very sad event.

Mr. Speaker: I will, of course, send those words of sympathy to the Morin family when Hansard is printed.

STATEMENTS BY THE MINISTRY

EDUCATIONAL PERFORMANCE

Hon. Mr. Ward: Members will recall that earlier this year, I stated that I would bring before the Council of Ministers of Education, Canada, a proposal to create an interprovincial program for the development of Canadian education indicators. Today, I would like to report on some of the details of this initiative, which I am happy to say received strong support from my fellow ministers at our annual meeting in Regina last month.

This program will involve developing national comparable statistics and various indicators of student performance in education. Our goal in introducing this initiative is to both measure and improve the quality of education, not only here in Ontario but also across Canada, and to develop and strengthen mechanisms to make education more accountable to the public.

The proposed program of indicators will provide Canadians with new information. For example, these indicators may be used in comparing Ontario students in mathematics with their counterparts in other provinces. They may also be used to identify strengths and weaknesses in curriculum and assess the potential impact of policies we may be considering.

It should be noted that this program is in line with the report of the Premier's Council entitled *Competing in the New Global Economy*, which made recommendations concerning provincial standards for educational performance.

Under the indicators program, a number of measures will be used to assess performance of the school systems. The indicators will examine, for example, the amount of time allocated for instruction, curriculum content and the standards and expectations we place upon students and teachers.

We will also attempt to establish indicators at the level of student achievement across Canada and student retention rates from elementary right through post-secondary schooling. The indicators will address such factors as performance appraisal, pupil behaviour and teaching styles.

To ensure that some of the benefits of this program are realized as soon as possible, the Council of Ministers of Education, Canada, has

agreed that this program will be conducted in three stages over three years, commencing this fall.

The first phase will include an examination of student retention rates across Canada to determine how many students are completing secondary school requirements.

The second phase, to begin in 1989, will include a study of the directions students are taking after secondary school. As well, there will be surveys conducted to determine what Canadians expect from our school systems and how satisfied people are with those systems.

During this third phase, which will start in 1990, we will investigate developing or selecting a way of assessing student achievements in reading, writing and mathematics among students aged 13 from across Canada.

We continue to be proud of the accomplishments of our schools and of our students, but we believe that this Canada-wide indicators initiative will greatly assist us in enhancing the performance of the educational system in Ontario and in Canada.

ACCESSIBLE TAXI PROGRAM

Hon. Mr. Fulton: I would like to take a few moments today to bring to the House an update on my ministry's accessible taxi program, which I announced last February.

The program was designed to provide incentive grants to licensed taxi operators across Ontario to encourage them to incorporate wheelchair-accessible taxi vehicles into their fleets. During the demonstration project, we have subsidized the purchase of wheelchair-accessible taxi vehicles to the tune of \$5,000 per vehicle.

Interjections.

Mr. Speaker: Order.

Hon. Mr. Fulton: Some members of the Legislature and community out there, Mr. Speaker, are very interested in accessible taxis.

The accessible taxi service has already commenced in Ontario. The first accessible taxi program went into effect in Sudbury last spring and has been operating three vehicles. Sault Ste. Marie inaugurated its service of three vehicles last August. Both operators are now considering additional vehicles. I was also pleased to participate, last month, in launching a similar service in Richmond Hill.

In addition, I recently announced Ontario participation in a joint provincial-federal initiative to introduce four accessible taxi vehicles in Ottawa. This demonstration project opens new

transportation options for disabled persons travelling to and from airports, train stations and intercity bus terminals.

By the end of this year, accessible taxi service will also be available at Pearson International Airport and will commence in St. Catharines, Thorold and Markham. My ministry is also negotiating to introduce service in North Bay, Pembroke, Lindsay and Mississauga. Many other municipalities have shown interest in the program.

Our accessible taxi program is also providing a boost to the Ontario economy by generating interest among private industry. This initiative—to make personal travel available to all Ontarians, regardless of disabilities—is my ministry's and this government's positive acknowledgment that the freedom of mobility is a basic necessity in our society.

The accessible taxi program is on track and, judging by the response we have received on this program to date, I am confident that accessible taxi vehicles will soon become a commonplace service in municipalities right across Ontario.

CONSERVATION LAND TAX REDUCTION PROGRAM

Hon. Mr. Kerrio: I would like to inform the House that the government is moving forward on an important tax rebate program for Ontario's conservation lands. The details for implementing the conservation land tax reduction program are now in place. The reduction program will provide owners of specific conservation lands with up to a 100 per cent rebate on municipal taxes.

In effect, we are telling most private land owners, "If you preserve your conservation lands in their natural state, we'll refund all the municipal taxes you pay on those lands." No other province in Canada offers a tax rebate like this for conservation lands. If all those eligible apply for rebates, the program will pay out \$5 million annually.

About 372,000 hectares of land, much of it in southern Ontario, have been identified as conservation land. Nearly 250,000 hectares are eligible for rebates. Lands that qualify under the program include class 1, 2 and 3 wetlands, provincially significant areas of natural and scientific interest, lands designated as escarpment natural areas within the Niagara Escarpment plan, conservation authority lands that do not produce revenue and other conservation lands owned by nonprofit groups.

Before the last election, the Premier (Mr. Peterson) committed the government to easing the property tax burden threatening the natural heritage value of these lands. Conservation lands make a vital contribution to our province's heritage. The conservation land tax reduction program encourages the type of stewardship that will enhance and protect their natural value. It reaffirms our government's commitment to preserving Ontario's wetlands and conservation lands.

1400

NEW VENTURES PROGRAM

Hon. Mr. Kwinter: On behalf of my ministry, I would like to inform the House that, as of today, the New Ventures program has provided 7,900 loan guarantees in support of startup financing for small businesses across the province. On this second anniversary, we are celebrating a total investment of over \$105 million in Ontario's entrepreneurial community—and a high percentage of those entrepreneurs are women.

In September 1986, when the Premier (Mr. Peterson) announced the program, the message to entrepreneurs was that the government was lending a helping hand to those who were experiencing difficulties in finding money to get started—the kind of difficulties which, if they persist, can cripple a lot of dreams.

New Ventures was set up to address these problems, which are generated in large measure by the lack of venture capital for startup firms and the lack of collateral usually required by lenders. Under the program, loan guarantees for up to \$15,000 are provided on a dollar-matched basis. In the north and east, the matching requirement is reduced to 50 per cent of the loan amount.

On a geographic basis, the program is contributing to the development of regional economies. Entrepreneurs in eastern and northern Ontario account for 29.5 per cent of borrowers.

The program gives small businesses a necessary tool to help them develop into viable ventures. In return for this assistance, applicants must fulfil two important conditions: they must commit to hire at least the equivalent of one full-time employee and to prepare a comprehensive business plan.

We are now reaping the benefits of New Ventures. About 13,800 jobs have been created as a result of the program. In dollar terms, it is estimated that the matching requirement has in fact brought the total investment in the economy

to over \$200 million. And, considering the increasing presence of women among business owners' ranks, it is not surprising that women entrepreneurs represent 28 per cent of all New Ventures borrowers.

Ten lending institutions are involved in the program. They include six major chartered banks, National Trust, the Credit Union Central of Ontario, l'Alliance des caisses populaires and le Federation des caisses populaires de l'Ontario. Their participation is a good example of partnership between government and the private sector. By all counts, the New Ventures program is proving to be an excellent stimulus to entrepreneurship in Ontario. This is good news for the new firms that will join the 400,000 small businesses in Ontario, adding to this thriving segment of the economy.

From 1978 to 1986, the small business sector alone accounted for 73 per cent of net job creation in Ontario. Women and youth had 24 per cent and 40 per cent, respectively, of all new businesses created.

Today, I will be joining New Ventures loan recipients from across Ontario, representatives of the financial community, members of the committee of parliamentary assistants for small business and members of the House shortly after four o'clock to talk about entrepreneurship in the province.

SAFETY IN SPORTS

Hon. Mr. O'Neil: I am pleased to make public today the final report of the Ontario Sport Medicine and Safety Advisory Board. The advisory board was appointed in April 1985 to study safety in amateur sports. The board also examined fitness and recreation. It was asked to determine the number of injuries and recommend ways to reduce them.

They have done an outstanding job. I thank them for their efforts and congratulate them on their excellent report. The information they have gathered reflects a growing problem. For instance, the board estimates that 1.3 million injuries related to sports, fitness and recreation occurred in 1986. Those injuries cost Ontario more than \$663 million in medical expenses and lost productivity. What they cost the victims and their families in pain and suffering cannot be measured.

Certainly not all of those injuries were life threatening, but 530 were classified as serious; that is, they were fatal or had the potential to cause long-term disabilities. Eighty-seven of those injuries resulted in fatalities, 47 occurring

in and around water. Thirty-five of the fatal accidents involved alcohol. Figures like these are not acceptable.

That is why, in January of last year, my ministry, after studying the interim report of the board, embarked on a \$1.4-million program to make sport and recreation safer for all Ontarians.

The initiatives in this program are ongoing. For instance, we will expand our efforts to help put breakaway goal nets in community arenas.

The measures we introduced were aimed at establishing an environment that would encourage the sports organizations, the medical and scientific community, the public and the government to work together to make safety in sport and recreation a top priority.

I think we have made a good start but, as the board's final report makes clear, we still have a long way to go.

In light of the board's findings, I am announcing today a new, seven-point, \$1.76-million program to carry our safety strategy forward.

First, we have established an Advisory Committee on Sport, Fitness and Recreation Safety. There will be seven members on the committee drawn from the medical, sporting and recreation communities. They are: Dr. Mary Keyes, Dr. Noelle Grace, Marg Thomson, Guy Lemieux, Dr. Darwin Semotiuk, Bob MacKinnon and Harvey Singleton.

I think this would be an appropriate moment to introduce some distinguished visitors in the gallery today. I would like to introduce Linda Thom, Olympic gold medallist and chairman of the advisory board; Doug Ferguson of the Canadian Lifesaving Society, chairman of the new advisory committee; and Dr. Charles Tator, neurosurgeon and sports injury expert, vice-chairman of the advisory committee.

The advisory committee, which had its first meeting last Thursday, will provide me with expert advice on the latest developments in their various fields. It will play a key role in making sport, fitness and recreation safer and therefore more enjoyable.

Second, a resource centre for sports safety information will be established at the Ontario Sports Centre. People will be able to get their safety questions answered by calling a toll-free number.

Third, the Canadian Sport Spine and Head Injury Research Centre is studying trends and patterns of those catastrophic injuries I mentioned a moment ago. We intend to look carefully at the results and integrate them into our program. If it can isolate some common elements

in the injuries, perhaps we could start to get those numbers under control.

Fourth, we have formed partnerships with the Ontario Soccer Association, the Ontario Gymnastics Federation and the Hockey Development Centre for Ontario to survey the injuries suffered in those sports. The information we gather will form the basis of new safety and education programs. We expect agreements with other sports bodies in the near future.

Fifth, we will continue to work with leading organizations in sport, fitness and recreation to develop safety guidelines and procedures to minimize risks. We will also work to find better ways to get proper onsite injury care applied quickly, because accidents will still occur despite our best efforts. Both of these approaches should ease concerns about the issue of liability insurance.

Sixth, in recognition of the complex and wide-ranging nature of these safety issues, my ministry will take the lead in an interministerial effort to make sport, fitness and recreation safety a priority for the whole government.

Finally, we will undertake a major public awareness campaign. If we can get the kind of results that have been achieved, for instance, by the anti-drinking-and-driving campaigns, then I, for one, will be well pleased. In all of our efforts, we will work closely with staff and volunteers in the many organizations involved and provide funds and other assistance to help make all these programs work.

This is what we will do in Ontario. We will also collaborate with the federal government and the other provinces to make sports, fitness and recreation safety a national priority. This issue must be confronted on a national basis.

Ontario is prepared and equipped to take a leading role. We are announcing a very ambitious program today, a program that is built on co-operation and joint effort. The government, the sports organizations and the public must work hand in hand to make Ontario safer. Everyone has a role to play. My ministry will do its part.

Let me conclude by expressing once again my thanks to the members of the advisory board for the splendid job they have done. Let me also say that I am looking forward to working with the new advisory committee in the months ahead as we put our new safety strategy in place.

1410

RESPONSES

SAFETY IN SPORTS

Mr. Farnan: First, let me commend the Minister of Tourism and Recreation (Mr.

O'Neil) for his obvious concern for sports safety. I have some suggestions to the minister. It has been very important to the New Democratic Party and we have encouraged the setting up of an independent sports commissioner. I believe this is absent from the report and it is vital to a healthy and safe environment in sports.

Second, I want the minister to make this pledge to the House today. Insurance, and the minister brought out this very well, at what cost to the victims and their families in pain and suffering cannot be measured. We must have insurance in sports. No matter what we do, there are going to be loopholes. There are going to be injuries, with terrible consequences to young children and to more mature players. Will the minister, in cabinet, encourage his government to work for a universal sickness and accident program so that no child and no adult will ever again have to suffer the consequences of a sports accident?

CONSERVATION LAND TAX REDUCTION PROGRAM

Mr. Wildman: I would like to make a brief comment with regard to the statement of the Minister of Natural Resources (Mr. Kerrio) regarding the conservation land tax reduction program which he announced for a second time today.

I note that the minister has said the details about the rebate program are now in place. I note, though, that he did not make clear in his statement how he was going to respond to the concerns I raised at the time he made his first announcement; that is, how he is going to ensure that farmers who also have access to drainage grants will be encouraged to take advantage of this program rather than to take advantage of drainage grants. He has not made that clear.

EDUCATIONAL PERFORMANCE

Mr. R. F. Johnston: The announcement today by the Minister of Education (Mr. Ward) was possibly a religious experience; that is, it takes a leap of faith to be able to accept the fact that this government is going to show leadership in gathering statistics about education.

This is the same government that has no information to give to the select committee on education about the real dropout or dropin rates for Ontario today. It has no information on how many children were held back in public school for one year or more. It has no information on the absentee rates of children, especially young children, whom we have to get to very early. It

does not have one socioeconomic study commissioned by this province about who are the dropouts, and yet today we are hearing that it is going to show national leadership. I am becoming a believer.

ACCESSIBLE TAXI PROGRAM

Mr. Allen: Responding to the announcement today by the Minister for Transportation (Mr. Fulton) with regard to accessible taxi programs, I want to compliment the minister on the further steps that have been taken to expand the accessible taxi program.

He is certainly a well-intentioned minister with regard to the needs of the disabled, especially in the transit area, but I sometimes wonder about his colleagues, inasmuch as the Ontario Advisory Council on the Physically Handicapped has long since had a report before the minister, *The Freedom to Move Is Life Itself*, which has called for the ministry to outline a multi-year prospectus for developing integrated transit systems in our municipalities across the province.

Such a plan has not been developed, and I note that this year the government has not taken the steps to require that renovations in the subway system, for example, and new capital developments in the Metro subway system be in fact handicapped-accessible. That was an important step that could have been taken and was not.

NEW VENTURES PROGRAM

Mr. Morin-Strom: I would like to respond to the minister's statement on the New Ventures program. Certainly this program has been a successful one in terms of stimulating the small business sector. The pat on the back by the minister is one thing, but I do not see anything in this statement in terms of any new initiative that is going to help stimulate more business investment in this province.

In particular in areas like northern Ontario, we need more than just those small businesses with \$15,000 loans from the province. We still need a diversified economy. We need strong industries that can export major products, industrial concerns that can balance the economy in those one-industry towns that we have across the north. I would ask the minister to address that concern as well.

SAFETY IN SPORTS

Mr. McLean: I would like to respond to the announcement today by the Minister of Tourism and Recreation (Mr. O'Neil).

It was interesting to realize this report was commissioned back on April 2, 1985, by a previous government that had seen the wisdom of being involved in sports medicine safety. I would like to congratulate the board's findings and the work it has done, and I want to say that I hope the new advisory committee that is set up will make sure it continues to look at what takes place in Ontario in the sports area. I am sure they were made aware through the first report and I know they will bring out and bring forward to the minister what they see and the improvements that need to take place.

EDUCATIONAL PERFORMANCE

PERFORMANCE SCOLAIRE

Mr. Villeneuve: I would like to reply to the proposal by the Minister of Education (Mr. Ward) to create an interprovincial program for development of Canadian education and his trip to Regina to make education more accountable to the public.

Il est inconcevable pour moi, Monsieur le Président, que ce gouvernement libéral refuse, une deuxième journée consécutive, de répondre au jugement de la Cour suprême et de clarifier comment les prochaines élections aux conseils scolaires seront menées, des élections qui laissent les conseils scolaires dans un état de bouleversement complet.

Cette confusion a été créée par un gouvernement qui a violé les droits constitutionnels des Franco-Ontariens. Il n'écoute pas les nombreux avertissements du public et des conseils scolaires, ainsi que du Parti progressiste-conservateur, concernant les problèmes que causerait la Loi 125 pour les élections de 1988.

Ils ont imposé cette violation des droits des francophones et ils doivent immédiatement avertir les citoyens de cette province et leur trouver des solutions. Montrez-nous un peu de leadership.

ACCESSIBLE TAXI PROGRAM

Mr. Cousens: When the Minister of Transportation (Mr. Fulton) talks about accessible taxi service, I think this is a worthy thing, but why not allow it so that the taxis can be accessible into Toronto and into the big cities? Accessibility is becoming a problem because he is not putting the dollars where it counts, into roads and into buses and into the total service so that we can get people in and out of the Metropolitan area easily and safely without spending all their time sitting in their cars or sitting in their taxis trying to get somewhere. Let's do something about accessi-

bility and start building the infrastructure to make it possible to get cars and trucks moving in this great area.

Mrs. Marland: The wheelchair-accessible taxis are only a beginning. In real terms, the solution for the disabled in terms of transportation in this province has to be more funding for the existing transit systems for the disabled.

We would like this government to do more than window-dressing for the disabled; we would like it to give more money in this area.

We also would feel more convinced that this government is sincere with respect to the disabled if it had not interrupted the flow-through of money from the federal government last year for pensions.

CONSERVATION LAND TAX REDUCTION PROGRAM

Mr. Pope: With respect to the announcement of the conservation land tax reduction program, since this has been the previous government's initiative that this Minister of Natural Resources (Mr. Kerrio) has sat on for three years and now announced for the second time, of course we support the initiative. We can only conclude that the Ministry of the Environment decided it was now a priority and got it through cabinet. That has to be our presumption, because the government has sat on it for three years and it has never seen the light of day when it was needed in Ontario.

While I am talking about the conservation land tax reduction program, I cannot believe the Minister of Education (Mr. Ward) is not making a statement today about the trustees election process in northern and eastern Ontario and the complete chaos the Minister of Education has created. That falls under the conservation land tax reduction program, I know, and we expect better of the Minister of Education.

ACCESSIBLE TAXI PROGRAM

Mr. Harris: When I come to ministers and demand action for Nipissing, I expect action right away, and I congratulate the minister on action right away in giving us the accessible taxi program in Nipissing; it took about five minutes. All you have to do is ask him, I guess. We appreciate it.

1420

NEW VENTURES PROGRAM

Mr. Harris: I want to comment, as well, on the statement by the Minister of Industry, Trade and Technology (Mr. Kwinter). There is a

reception today. It was unclear, in my invitation, whether in fact I am expected to pay \$200 to come to this meeting or is that just for the program recipients?

Mr. Speaker: Perhaps the member could continue that during question period. That completes the allotted time for ministerial statements and responses.

ORAL QUESTIONS

SOCIAL ASSISTANCE

Mr. B. Rae: I have some questions this afternoon for the Minister of Community and Social Services. I asked the minister yesterday some questions about child care, in which what his government is doing flies directly in the face of recommendations made to him by Judge George Thomson in the report which the minister hailed on the day of its release, amid much fanfare, a little over four weeks ago.

I met, this lunchtime, with several people, all of whom will be dramatically affected if this government decides to do something about the Thomson report, and all of whose lives are dramatically affected today because the government has done nothing—kids going to bed hungry, women having to balance budgets when there just is not the money coming in.

I have a very simple and direct question for the minister: Why does he continue to delay the implementation of a report which will have, if implemented, a dramatic effect on the lives of poor people in Ontario today?

Hon. Mr. Sweeney: The honourable Leader of the Opposition (Mr. B. Rae) is well aware, I am sure, that the report itself recommends that there be up to a six-month time period for the government to thoroughly understand what the report says, to understand the comprehensive nature of the report, to have an opportunity to appreciate the consequences and the implications of 274 recommendations.

The report also clearly says that the whole report has to be considered as a comprehensive whole. It cannot just be taken in bits and pieces. It indicates very clearly that if only one element of it is dealt with, in fact, you could end up doing more harm than good.

I have said very clearly that there will be a response to this report in this session of the Legislature. I have also said, in terms of some of the higher-cost elements, that we would have to wait until the new budget of next March or next April. I think the honourable Leader of the Opposition is also aware of the fact that during the past two years, while this report was in

formation, a considerable number of improvements were made to the social assistance system in this province.

Mr. B. Rae: Perhaps the minister could explain to the women I met with at lunchtime today, who are having to raise their kids on a few hundred dollars a month, who are penalized when they try to go back to work, who have to give much of that money back to the government. When they get child support from their husbands, they are told they cannot receive it until 1999. They have to hand that over to the government. They are continually discriminated against in terms of their attempts to find work. They cannot find child care, and the government is not unfreezing those spaces.

Perhaps the minister could explain to Betty McKay, whose total income is \$1,021 and whose rent, gas, hydro, phone, clothing and student loan for herself and her children come to \$970 a month, how it is that increasing her benefits by some 18 per cent, which is what George Thomson is calling for, and getting rid of some of the discrimination in housing, which would increase the subsidy to deal with her real costs, how doing that would, to use his unforgettable words, do her more harm than good? Perhaps he could explain that.

Hon. Mr. Sweeney: I would go back to the former answer and indicate very clearly that the report itself says that its various elements must be taken together. They cannot be taken separately.

Second, I would remind the honourable member that there have been six increases in social assistance in the last three years. In each case, they were designed to deal with a specific need that had been brought to our attention. Whether that need had been shelter subsidies, children's clothing, special needs of the disabled or increases in the basic rate, all of those factors were taken into consideration.

Over that three-year period, a total increase of \$337 million was added to that program. That represents an overall increase in excess of 23 per cent at a time when there was a 13 per cent cost-of-living increase. For single parents, it represented a 30 per cent increase. For the disabled, it represented a 36 per cent increase. For a family of four, it represented a 37 per cent increase.

We have not been standing idly by while this was in formation. All the various problems and concerns which the honourable member—

Mr. Speaker: Thank you. Order.

Mr. B. Rae: If the minister is saying that George Thomson is urging the minister to delay

the implementation of his report, then I think the minister is completely misreading and misunderstanding what Thomson has said and indeed misunderstanding the situation out there affecting families. What George Thomson has said is: "Get on in the first year with the first stage. Deal now with the problems that can be dealt with now." That is precisely what Thomson says. That is precisely the point he is making.

I would ask the minister to answer my question again. Can he explain how increasing benefits dealing with the discrimination against people on housing and allowing people to work and not have to give all that back to the government, can he explain how moving on those three very specific recommendations could possibly do more harm than good to people who are living on \$50 and \$60 a month for food and for everything else for their kids?

Hon. Mr. Sweeney: Clearly, Mr. Thomson and his committee are not suggesting we delay. What they are clearly saying, though, is that we do read the report and understand the report and make a series of recommendations in terms of how we plan to deal with those recommendations. That is what Mr. Thomson clearly says.

As the honourable member obviously knows, at each subsequent year in the past three years we have made changes. All of the items he just mentioned have been dealt with over the last three years. We have dealt with the shelter subsidy. We have dealt with day care. We have dealt with the needs of single parents and the disabled. We have. All of those things have been dealt with and will continue to be dealt with. This is a guideline and a blueprint as to how we should proceed in the future.

Mr. B. Rae: We would do better with Marie Antoinette.

HOSPITAL SERVICES

Mr. B. Rae: The question I have is for the Minister of Health. The minister will no doubt be aware, because of press reports, of the case of Albert Horlock, who suffered a serious heart problem in his home in Orangeville and was transported by means of emergency helicopter to Toronto General Hospital. There were severe arguments between Toronto General Hospital and Sunnybrook Medical Centre as to which hospital could provide for Mr. Horlock, to the point that his family was able to drive to the Toronto General Hospital more quickly than Mr. Horlock got there by helicopter.

The minister has spent a lot of time in the last number of days and weeks huffing and puffing

about the fact that there are too many doctors in our health care system. I wonder why she has not focused as much energy and attention on what is surely the most critical problem facing our hospital system today; that is, the fact that we do not have enough nurses. I wonder if the minister can possibly respond to the Horlock family and to the many other patients who are either being denied care or being delayed care for the simple reason that there are not enough nurses right now in our hospitals to provide the care we need.

Hon. Mrs. Caplan: I was very concerned and very distressed when I heard about that particular case. I have asked ministry officials to investigate and find out why that would occur. I believe the people of this province have an expectation that people in need of urgent care will be given priority. That is what we expect from the system, and I want to find out why in this case that did not work.

1430

The issue the Leader of the Opposition raises is probably one of most perplexing dimensions, I would say, because the whole role of nurses within the health care system and nursing human resource and manpower issues are directly related to the changing role of women in our society. They speak to the need for nursing to have a stronger voice in the management of hospitals and to have job satisfaction.

The question is, why are nurses leaving nursing? In fact, I have been discussing this with members of the nursing profession, the leadership of the profession over the past year, and I believe we are beginning to see some of the answers addressed in the report of the Advisory Committee on Nursing Manpower. I am expecting another report, from the Registered Nurses' Association of Ontario and the Hospital Council of Metropolitan Toronto, this fall.

Mr. B. Rae: The nurses that I spoke to in the last month, at several open sessions at the Wellesley Hospital and Sunnybrook Medical Centre, say one of their problems is that they cannot talk to the minister, that the minister is not interested in talking to working nurses. That is what they tell me. I just spoke to the critical care nurses, and that is exactly what they are saying. The minister might not like it, but she should talk to them. The minister does not like it, but it is true.

Mr. Speaker: Order. I am waiting for a question, and I hope all members will listen carefully.

Mr. B. Rae: Can the minister explain to this House how she can talk about there being a well-managed and well-run system when it takes several hours for someone to get emergency treatment, when in fact the number of emergency, intensive care unit beds in the Toronto General Hospital has been cut from 58 to 36 beds because of the nursing shortage and when Sunnybrook has had to close 15 of its 48 intensive care beds? They are short 30 critical care nurses at Sunnybrook and there are 103 full-time nurse vacancies at the Toronto General Hospital.

Can the minister explain how she can talk so much about how we have a well-run, well-managed system when this is allowed to happen and why she is spending so much time telling everybody there are too many doctors in the system when the real problem in Ontario is that there are simply not enough persons there because the nurses are leaving the system?

Hon. Mrs. Caplan: I have been meeting with the leadership of nursing over the course of the past year. What they are telling me is that the Leader of the Opposition and his categorization are fundamentally wrong. In fact, the vacancy rates across the province vary from community to community. The concern is far more with job satisfaction and working conditions. There is a role to play for numerous partners in our health care system to face this important challenge.

There is a role for the profession and for the associations, which are often those involved in negotiations or setting standards for the profession. There is a role for the employers, the hospitals, to address. As well, there is a role for government to ensure that nurses will have a greater voice as part of the health care team in our system.

I can tell the member that as a result of the nursing manpower committee, I have already taken action in asking that the ministry draft regulations to ensure that nurses will have a voice and a say in the allocation of resources within our hospitals.

Mr. B. Rae: Mr. Horlock is lucky today to be alive. He is alive despite Ontario's system right now, not because of what happened, because there was a breakdown at a critical point. Dr. Demajo, who is the co-ordinator of intensive care units at the TGH, said that the problem is nursing, that the nursing shortage caused the problem and that it is the lack of beds. He had somebody on a ventilator in the emergency department at the same time. Simply not being able to respond, he tried to get that person into

Sunnybrook. Sunnybrook said, "We don't have a space either, because the number of beds has been cut back."

Quite specifically, I would like to ask the minister this simple question again: How can she talk with such confidence of our having a well-run, well-managed system when Mr. Horlock is treated in this way by that very same system? Would she not agree with me, and indeed with Mrs. Horlock, who says she is raising this case and is happy to talk to the public for the one simple reason that she wants to make sure it never happens again? How can the minister make that kind of guarantee when we know the system is in danger of breaking down at its most critical point?

Hon. Mrs. Caplan: Let me make it clear again that I think the people of this province, and I and every member of this House, as a reasonable expectation believe that people in need of urgent care should be given priority in this province. It speaks to the need, I believe, not only for everyone in this House to work together but also for hospitals to work together.

I can tell the member that is happening and beginning to happen in many communities where it never happened before. In Metropolitan Toronto, we have seen the use of changing technology to help us and we know, as I have said, that we need to have a better planned and a better and more manageable health care system in the future than we have had in the past.

There are enormous challenges facing health care, but if we work on the basic principles that everything we do must result in quality care, the most effective quality care possible, then I believe we will achieve our goal in the future.

Mr. Brandt: My question too is to the Minister of Health with respect to the hospital system. The minister has constantly, over the course of the past number of months, virtually since the day she was appointed to that ministry, blamed hospitals for mismanagement and for some of their underfunding problem. Yet after indicating publicly that there would be no money added to the system, the minister in some mysterious fashion was able to find close to \$40 million to assist some hospitals with their underfunding problem, for which I applaud her.

But I would like to point out to the minister that, as a result of a misplaced memo in her well-planned, well-managed administrative staff up at the Ministry of Health, she delayed a loan to the Welland County General Hospital, and as a result of that one-month delay, she cost the Welland County hospital an additional \$10,000

in interest. They are going to have to find the money to fund that particular interest charge, and it relates directly to a lost memo in her department.

I would like to ask what the minister is doing to rectify the problems in her own administrative staff and in her own department as they relate to problems of this kind.

Hon. Mrs. Caplan: I do not think there is anyone in this province or in this Legislature who does not appreciate the enormous challenges being faced by health care in Ontario, in this country and in fact internationally, given our ageing population, the economic reality that health has its fair share of our economic resources by any international standard and rapidly changing technology.

Where I disagree with the member opposite is that there is anyone to blame. I have been very clear in this House that in fact there are no white hats and black hats. We know that within the management of our hospital system there are different levels of expertise and we must help them. But I can tell the member opposite that we have looked within the ministry and we have been reorganizing into the kind of organization that will allow us to look at programs across this province and maintain a provincial perspective. We believe that health care is not a partisan issue and that every part of this province deserves its fair share of our health care resources.

Mr. Brandt: It really does not answer how the memo was lost or how Welland is going to come up with an additional \$10,000, which was my question, but will the minister explain another rather unusual circumstance that occurred within her ministry?

On April 14, there was in fact a form letter sent from the special assistant to the deputy minister to all Ontario hospitals, asking them to inform the Ministry of Health of any capital projects that they had under way that had been approved by the ministry.

Since she is constantly blaming hospitals such as Cambridge Memorial Hospital, Sarnia St. Joseph's Hospital, St. Joseph's Hospital in London, Welland County General Hospital and many others for their shortfall in funding, will the minister please advise this House why it is that she does not know the amount or the location of projects she has approved within her own ministry?

1440

Hon. Mrs. Caplan: I have said repeatedly in this House, on numerous occasions, that our goal is to see that hospitals are fairly and appropriately

funded to meet the needs of their community. I can tell the member that a recent conjoint review of 23 hospitals told us that the ministry must be clear, consistent and fair in its approach. Why did they point that out? Because in the past, under previous leadership, the ministry was not clear, consistent and fair.

When I talk about the challenges in health care, I say we must look back 10 years to see where we are going to be in 10 years and we must not blame anyone. In fact, we must work together co-operatively. We are working with the hospitals on an individual basis and with the Ontario Hospital Association to help us to resolve many of the issues that are outstanding and facing us in health care.

Mr. Speaker: Final supplementary.

Mr. Brandt: I did not get an answer to the question on the \$10,000 to Welland. I did not get an answer with respect to why her ministry does not know where the various projects are or even at what level she has funded them.

It is very obvious from the form letter that was sent out that the ministry did not know the status of the various projects that have in fact been given approval by her own ministry. Surely she knows the budget that has been allocated to her by the Treasurer (Mr. R. F. Nixon), and surely she knows what projects she has approved. I would think it would be virtually automatic within a minister's portfolio that she would have that information handy.

How can she, again and again, as she has over the course of the past number of months and particularly through the summer, blame hospitals, which she has done, with respect to their underfunding problem when she does not have her own house in order within the Ministry of Health?

Hon. Mrs. Caplan: I must object to the categorization of assessing blame. I will make a deal with the leader of the third party. I will not blame the leadership of the past for all of the problems we have today if he will categorically say the truth is that I have not been blaming anyone.

I have been saying very clearly that we must work together co-operatively to resolve the problems left to us by past administrations. We began three years ago. We have a lot of progress to make.

I also said clearly in this House that approval by the Ministry of Health results in a letter from the minister. If the leader of the third party has any particular inquiries or if he knows of anyone who has a letter of approval from the minister that

the person has questions about, I am always happy to look at these particular issues on an individual basis.

Mr. Speaker: New question.

Mr. Brandt: If it is an offer being made by the minister, I reject the offer; I do not want it. The offer is a silly one, because the minister knows full well the hospitals are more concerned about what she has done during the course of the past year—

Mr. Speaker: Order. Does the member have another question, and to which minister?

RETAIL STORE HOURS

Mr. Brandt: Yes, I do, in fact. My question, in the absence of the Premier (Mr. Peterson), is to the Solicitor General. As the Solicitor General knows, I think it is fair to say that some 90 per cent of all of the individuals and organizations that came before the standing committee on administration of justice dealing with Sunday shopping indicated that they were opposed to the government's plans. There were religious groups, as she knows. There were municipalities that have made submissions to that committee, there were retail workers and small business people who were all opposed.

The minister has perhaps been too busy to see this particular ad, but I would like to bring to the attention of the minister a full-page ad which indicates, by way of headline, "Do Liberals Care?"

Hon. Mr. Curling: Yes.

Mr. Brandt: I hear one of the ministers say, "Yes, Liberals do care." Well, if the government is in fact listening, I say to the Solicitor General, will she use her considerable influence to discuss with her Premier and her cabinet colleagues the right thing to do, which is to reassess their position on Sunday shopping and give some reconsideration to that whole plan, which is certainly not meeting with the support of the people of this province?

Hon. Mrs. Smith: I wish to point out to the member for Sarnia that there is nothing new in what he says or what is happening here. The people who appeared before the committee, by and large, were the same group that put in the ad and signed many petitions and continues to address this problem in a way that does not reflect the bill. They continue to address the problem of wide-open Sunday, etc., whereas in fact we are talking about the possibility of a municipality controlling its own shopping pattern in a way that is suitable to its own people.

I would point out to the member of the opposition that the city of Sault Ste. Marie, for instance, which already had a decision by its council to have open Sundays, did not appear before the committee.

Mr. Wildman: No. It is having a referendum.

Hon. Mrs. Smith: It is now having a referendum to confirm whether it will remain open. It is presently open by vote of council. It did not appear before the committee to say why it wanted to be there. However, there are many people like them throughout this province. I have been on many committees, and generally speaking people come forward to tell you how they want to change a bill or improve it, and that indeed is what we ask: for people to come forward with improvements and changes—

Mr. Speaker: Thank you. That seemed like a fairly full answer.

Mr. Brandt: I am full of the minister's answer, too. When she uses Sault Ste. Marie as an example of one out of close to 900 municipalities in this entire province, she is grasping at straws. Even in that particular case, I point out to the minister that all they are going to do is move towards a referendum on the question.

Will the minister consider sitting down with some of these very concerned groups and individuals to discuss some of the viable alternatives to the present, ill-thought-out bill she plans to bring forward for passage by this particular House? Will the minister agree simply to meet with those groups and organizations, because they are complaining that she has not listened at committee and they have requested direct meetings with the Premier and with her office?

Mr. Speaker: You have asked the question.

Mr. Brandt: Will she agree at least to do that and hold the bill up until she has given them a chance to air their views?

Hon. Mrs. Smith: I remind the member that I have met repeatedly with these groups and I have spoken to them on all these issues. The Association of Municipalities of Ontario specifically refused to discuss anything because it considered it a letting down of its position. It still has not come forward with any positive suggestions. In fact, we are moving to amend our own bills in the particular area I asked them to address and have input on. We knew there was work to be done and we are doing it on our own to bring in a process, to bring in changes.

In the meantime, we have left a provincial framework in place that will remain in place.

Only at the will of municipalities will it be altered. Roughly 110 municipalities, not just Sault Ste. Marie, have, before this bill is passed, made changes in their municipality to reflect the type of society they wish to have in that community.

Mr. Brandt: As the minister wants to refer to municipal governments, I point out to her that a recent editorial in *Municipal World* indicated some real concern about her bill. I point out to the minister, if she has not seen that particular magazine, that it is the voice of municipal government in this province. It complained about the lack of input into the development of the bill and went on to say, "But the bill would result in further cost to taxpayers, which will not be recoverable from any increased retail activity," something we have been saying to her all along.

The minister has also indicated that there are no alternatives or positive suggestions. I point out to her that my colleagues the member for London North (Mrs. Cunningham) and the member for Durham East (Mr. Cureatz) have put forth a reasonable suggestion, which is to establish a board to consider tourist exemptions. That is a very reasonable and sound recommendation from my colleagues; I might add that it has met with some interest on the part of New Brunswick, which has contacted our caucus to see exactly what we have in mind.

Mr. Speaker: Order. Would you put your question?

Mr. Brandt: Why will the minister not delay bringing the bill forward until such time as she can sit down, along with her colleague the Minister of Municipal Affairs (Mr. Eakins), and have a full and thorough discussion with the municipalities who do not want her to pass on this—

Mr. Speaker: Thank you. I think there is a question somewhere there.

1450

Hon. Mrs. Smith: It should be no surprise to the member that the newspaper of the organization said the same thing the organization is saying. They are taking a very one-sided point of view. They do not want the responsibility of making what, in some cases, may be an unpopular decision. If the municipalities do nothing, they will not have increased cost, they will not have anything, because they will not have increased openness. Only if the municipalities opt for more openness will they have any increased cost that comes along with that.

Furthermore, we looked with great care at the suggestion of the member for London North. I think she should have looked at it more closely, too; we discovered that the caucus had not studied it in depth. The committee she suggested related to appointments—one each from several ministries, one appointment from an Ontario tourist association of some sort—and three of these people were to be permanent. This committee, which is suddenly to make this decision, had no accountability to the public.

We are saying that only the municipal government, which is accountable to the public, can make changes to open up the municipalities. We do not want some committee made up of appointments—

Mr. Speaker: Thank you.

Interjections.

Mr. Speaker: Order. We will just wait. I want to inform the members that I have had a number of notes from members and a number of comments from members regarding yesterday and now today. We have had four questions each day with supplementaries and responses and it has taken over the full half-hour. I would ask for better co-operation in the days to come.

Interjections.

Mr. Speaker: Order. I would be glad to discuss that with anyone because I have them timed here.

HERBICIDE IN SEWER SYSTEM

Mr. Morin-Strom: My question is for the Minister of the Environment who, in the case of residents and workers at Sault Ste. Marie's east-end treatment plant, seems to be protecting neither the environment nor human health.

A month ago, the minister called on "thousands of industrial users of sewers to eliminate toxic contaminants from their liquid waste before it is dumped into the community's sewer system." However, now we have the Ministry of the Environment itself dumping the toxic herbicide Spike into Sault Ste. Marie's water system, a product that the industry's own supply data sheet specifies as follows: "Do not allow material to reach any waterways or water intakes. Material is insoluble and may accumulate in the environment if spills are improperly contained."

Can the minister therefore explain how he can allow water containing the herbicide Spike to be entering, under his approved guidelines, Sault Ste. Marie's water system completely untreated?

Hon. Mr. Bradley: First, in regard to the first reference the member made to occupational

health and safety, the individuals exercised appropriately their right to refuse until such time as they were assured that in fact they were working in conditions they considered to be safe or which the ministry considered to be safe. The member would know that the Ministry of Labour investigated this and indicated that in its view the working conditions were safe. That was the Ministry of Labour ruling on this matter, based on the scientific and health information it had.

However, further discussions have taken place today, I would share with the member. My understanding is that the workers are in fact back on the job today and that there is daily testing of the material which is going into the plant to ensure that it meets the occupational health and safety standards they would consider to be appropriate. It is my understanding that that agreement has satisfied the people who are involved.

Mr. B. Rae: It is a fine day when the Minister of the Environment has to stand up in the House and not admit that his own ministry suspended two workers who were concerned about their health dealing with the Spike compound and that in fact that is what has created this crisis in the Sault.

An official in the Ministry of the Environment stated, "Spike is biodegradable." I am quoting what Mr. Gillespie, who is a ministry official, said in the Sault Star on October 15. Can the minister explain how his official could have said something like that when it has been stated by C-I-L itself, which manufactures the product, "Do not allow material to reach any waterways or water intakes. Environmental effects: Material is insoluble and may accumulate in the environment if spills are improperly contained. May be toxic to fish at low concentrations," and the doctor from the Ministry of Labour said, "Because of similarities between the chemical structure of Spike and known toxic compounds, a cautious approach should be adopted to human exposure to this compound"?

Can the minister explain the contradiction between what the experts are saying with respect to this particular compound and what his own ministry is telling the workers who are having to handle the substance?

Hon. Mr. Bradley: I can indicate to the member for York South (Mr. B. Rae) that the basis we followed was the basis of the information provided to us by the Ministry of Labour. I indicate to him as well—

Interjections.

Hon. Mr. Bradley: I will wait for the member to calm down.

Mr. Speaker: Order.

Hon. Mr. Bradley: Of course, the member would be aware that in terms of occupational health and safety, it is the information provided by the Ministry of Labour which is the regular procedure we would follow.

As well, in discussions which are ongoing with the particular company involved, Canadian Pacific, going back to what the member for Sault Ste. Marie (Mr. Morin-Strom) suggested, I have indicated that I believe, in keeping with future plans we would have in terms of the use of sewers and sewage treatment plants, there should be pretreatment of that material before it is going to the plant.

Mr. Wildman: It is going directly into the river.

Hon. Mr. Bradley: No, into the sewage treatment plant, not directly into the river. Let's not confuse that.

Testing is going on at the present and the results will be produced. It is my view that pretreatment, as I have indicated on many occasions, is the preferable method of dealing with this, and I intend to see that is the method that will be employed. I think the member has indicated to me that concern.

HOSPITAL SERVICES

Mr. Eves: I have a question for the Minister of Health. The Horlock incident is not an isolated case. As a matter of fact, a constituent of mine, Mrs. Foley, this week is in Sunnybrook Medical Centre and she has had her aneurysm surgery cancelled twice so far. Her doctor has another critically ill patient who has been on a waiting list for over four weeks now. Due to the shortage of nurses, Sunnybrook has closed 48 beds servicing everything from cardiac surgery to neurosurgery. Dr. Maggisano, Mrs. Foley's surgeon, alone has 20 to 30 patients on a waiting list that is three to four months long.

Does the minister think this is satisfactory and is this ensuring that all critically ill patients receive immediate care?

Hon. Mrs. Caplan: When we discuss these issues, I am always happy to have any specific cases the member has which he feels are not being appropriately dealt with so I can communicate directly with the hospitals. I am very concerned that the hospitals respond, that physicians who have responsibility for determining

urgency of care make sure they take the responsibility to do that.

The Ministry of Health, when it funds in a global way the hospitals, expects that people in need of urgent care will be given priority, no questions asked, and that that will be determined according to appropriate medical judgement and medical standards. I would urge the member, if he has any of those specific questions, to either take them directly to the hospital or to me. I would be pleased to look at them.

1500

Let me state that it is extremely important to understand that services are provided right across this province by many competent and qualified physicians in a number of different centres. Because of the very nature of some of the challenges we face, it is important for hospitals to work together to share information and for people to be appropriately referred when they need urgent care.

Mr. Eves: With regard to the type of surgery Dr. Maggisano does, there are only three surgeons in Ontario who do this: two at Toronto General Hospital and one at Sunnybrook—Dr. Maggisano himself. So much for sending them to other centres and hospitals communicating.

The minister announced last June that \$18 million was being put towards expanded heart programs, yet many of the problems we have outlined in the Legislature today will not be solved unless the wider problem of a nursing shortage is addressed.

Last spring, members of the opposition had to literally embarrass this government over a period of some two or three months into acting on the serious issue of waiting lists in cardiovascular surgery. Do we have to go through this entire exercise again, come in here day after day for the next two months or three months and embarrass the Minister of Health into action, or is she going to act in a responsible fashion and deal with the nursing shortage in Ontario today?

Hon. Mrs. Caplan: The member opposite displays a singular lack of understanding of this very important issue. Clearly, he is not listening to the answers that have been given in this House. As I have stated in response to a question from the Leader of the Opposition (Mr. B. Rae), we have already begun to draft a regulation under the Public Hospitals Act to respond to the need for nurses to have a stronger voice in hospital management. I have also acknowledged that we will be opening the Public Hospitals Act for review and amendment, so that we can respond to those systemic needs.

We know we are talking about a societal problem that responds to the many opportunities open to women in society and the changing role of women. There is a role for the profession itself to address, a role for the employers, to look at working conditions as well as our educational institutions. From day one, I said that one of the things we should be looking at in nursing is the kind of affirmative action program that says this is a wonderful profession for young men as well. There are many societal issues.

The perplexing problem of nursing manpower and human resourcing in this province is one I believe the member opposite should acquaint himself with, so that he fully understands the implications of what he is suggesting.

DRIVING INFRACTIONS

Mr. Owen: I have a question for the Solicitor General. In recent months, in talking to traffic officials and police, they tell me that in their judgement there has been a significant increase in bad or reckless driving across the province and that there has been an increase in drivers ignoring traffic signs and traffic lights.

Has this increase been taking place? Are there any studies available to the minister to try to identify if there has been such an increase? Has there been a result in an increased number of accidents or types of accidents from this type of driving?

Hon. Mrs. Smith: I did have a letter asking somewhat similar questions recently. As I recall, in the greater Toronto area there has been an increase in deaths. I believe that where we are today, something in the order of 87 casualties, is the same as the whole year last year. It is an increase, and indeed there has been a seven per cent increase in property damage.

However, I would point out a few relevant facts that make it difficult to make a final judgement. First, there is a lot more traffic in Toronto. Toronto is a growing community and the suburbs are growing—our school situation tells us that—and the increased volume has made for greater frustration, which may make people tend to be a bit more careless with the laws.

As well as that, I would remind the member that from the statistics we heard from Manitoba during discussion of insurance rates, we got a clear indication that the greater the volume of traffic, the greater the proportion of accidents. It is very hard to measure these things out in a very definitive way.

I would point out, however, that we have measured the success of the Reduce Impaired

Driving Everywhere program in cutting down on both death and damage due to drinking and driving. This has been measured and is working.

Mr. Owen: I am pleased the minister has referred to the success of the RIDE program because I understand that the number of accidents caused by drinking and driving has dropped from 60 per cent down to 40 per cent.

I would like to ask the minister, if we have had this kind of success with the RIDE program for drinking and driving, has she given any thought to a similar program to bring to the attention of the public the effect of their bad driving and whether the ministry can endorse, support or work out a program with its police officials and other traffic officials to have the same effect of educating the public on what they are doing to themselves?

Hon. Mrs. Smith: There are two points here, I guess. In the first place, the RIDE program was a little more extensive. An exception was made to a general rule, and in fact, people are tested by mechanical means for drinking and driving regardless of whether they have committed an offence. This meant it had very special powers that are not applicable generally within our society and I think people would object if we tried to increase them beyond the special need for the special exception.

However, I concur with the idea about education. In fact, five local police forces plus the Ontario Provincial Police presently have a new slogan they are trying to push in an educational program called "Speed Slows You Down." There is another program that has been in place for some time now that is called "Strict is Fair," meaning that if you get pulled over, do not try to talk your way out of a ticket. In the end, I think—

Mr. Speaker: Order. Thank you.

Interjections.

Mr. Speaker: Order. New question, the member for Lake Nipigon.

INDIAN POLICING PROGRAM

Mr. Pouliot: I have a question for the Solicitor General. The native community of Kingfisher Lake in northwestern Ontario, with a population of some 300 people, has often been cited as a model, orderly community, and yet in the past six months one per cent of the population has been wiped out. We have had three youths committing suicide in this orderly community, and in each case gas sniffing and alcohol were involved.

In the community of Kingfisher Lake there is no one, no special constable to enforce the band council resolutions, nobody to maintain law and order. When will the minister direct the Ontario Indian Policing Commission to appoint immediately a special constable in the community of Kingfisher Lake?

Hon. Mrs. Smith: I share with the member his concern for the fact that we do not have nearly enough special Indian constables. The program has proved itself to be immensely successful and should be growing at a rapid rate. There has been a lot of discussion among the native communities, the Attorney General (Mr. Scott) and myself.

The basic problem is this: that program is a jointly shared federal-provincial program which is presently split, costwise, 52 per cent to 48 per cent. The native people are most anxious to keep the federal involvement in it, so they do not want us to go beyond the 48 per cent. This is something we continue to negotiate. We continue, along with them, to try to convince the federal government to put in more money. As well as that, we talk to them about whether they would be willing for us to go beyond this 48 per cent. In the meantime, it becomes a negotiated matter.

We certainly favour any increase to this program that we can get and arrange, and certainly Kingfisher should be one of the places that is considered, along with many others.

Mr. Pouliot: Meegwatch. The minister should be more concerned with family violence, including severe beatings, suicide, drug abuse and alcohol abuse, than with her rapport and/or relationship with her federal cousins. The situation is urgent. We have fully 29 communities with no law enforcement whatsoever. When is the minister going to start doing her job?

1510

Hon. Mrs. Smith: On the subject of suicide and other social ills, I would agree that there is a tremendous amount to be done, particularly on the reservations and any place where there is a preponderance of native people living. These areas cover a lot more than law enforcement. Basically, they cover such things as education, social programs—many areas. I think we must continue to address these together with the native people.

To do with family violence, we are trying very hard to put in programs. As the member knows, I have been travelling around on the family violence programs this summer. We are looking at them and will be reporting shortly. But even

there, I feel very strongly, when talking to the native people, that they wish to have more opportunity to address these for themselves. Unfortunately, I think, too often, someone coming from outside and speaking to them about family violence and the way maybe women are being abused creates a defensive reaction that is helpful neither to the law-enforcement officers, who are non-Indian, nor to the native people themselves. That is why we need more native constables, which I completely concur with.

AFFORDABLE HOUSING

Mr. Harris: I have a question for the Minister of Housing. The government has pursued policies, which have shifted an increasing portion of the cost of financing of the education system on to the municipalities. It has hiked housing prices through increases to the land transfer tax, the retail sales tax and an expansion of the sales tax base. Now we understand that the government has a plot brewing to include a special education component in municipal lot levies.

Can the member tell the House, as the minister responsible for ensuring affordable housing, what she is doing to protect new home buyers, who have paid about \$1 billion in lot levies in the past three years already, from this latest scheme to make it more difficult for them to own their own homes?

Hon. Ms. Hošek: Yesterday, when the honourable member asked me a question, I neglected to welcome him to his new portfolio as critic. I welcome him today and I am very glad to answer his question.

I am obviously very concerned about the whole question of affordable home ownership. The honourable member will be pleased to know that the Ministry of Municipal Affairs has been conducting, along with the Association of Municipalities of Ontario and some representatives of the industry, an inquiry into the whole question of lot levies and how they are to be handled. He will be hearing the results of those discussions very soon. I believe those will be much more helpful for the whole question of affordable home ownership than they have been in the past.

Mr. Harris: The question is, what is the minister doing to protect the affordability of housing prices? She is the minister. I know the Treasurer (Mr. Nixon) wants more money. I know the Minister of Education (Mr. Ward) would like to have more money. Every new home buyer will be disappointed to learn that the Minister of Housing has done nothing to protect

them in this issue. In fact, she appears to be helping bail out the Education minister for failing to keep his promise to increase the provincial share of education costs to 60 per cent.

Given that the government will collect \$200 million this year alone from increases in the land transfer tax, and given that the sales tax increase has added \$2,000 to the cost of an average house; and given, in short, the government's record of really profiteering in the housing market, can the minister tell the new home buyer when, if ever, the minister is going to stop putting roadblocks in their way, and when she is going to get around to dealing with them instead of contributing to the affordability problem—

Mr. Speaker: Thank you.

Hon. Ms. Hošek: The honourable member will know, if he has been paying attention, that over the last number of months we have been doing a number of things that are going to make a significant difference in the cost of home ownership for people who are buying new homes. We have been actively working with mayors and regional chairs on speeding up the building process and the land use approvals process.

This summer we also announced our land use policy, in which we are requiring municipalities to work together with the provincial government, to make sure that all new housing that gets built in the province meets the goal that, within municipal neighbourhoods, 25 per cent of that housing is affordable and is targeted to the people who need housing which is affordable and moderate in price.

I believe the direction we are taking in land use policy represents a major breakthrough in making sure that the moderately priced house, the house for the family of modest income, is available to people. I think we have been working very successfully with municipalities in this direction and the member will see many, many more movements in this direction.

Interjections.

Mr. Speaker: Order.

TRADE WITH UNITED STATES

Mr. Carrothers: I have a question for the Minister of the Environment. Recently, I have had a number of constituents speak to me—

Interjections.

Mr. Speaker: Order.

Mrs. Marland: There were 800 people at the meeting.

Hon. Mr. Bradley: What meeting?

Mrs. Marland: He is going to ask you about it.

Mr. Speaker: Order. Has the member for Mississauga South finished?

Mr. Carrothers: Recently, many of my constituents have spoken to me about their concerns over the free trade agreement and the impact it may have on the environment. Recently, a coalition of environmental groups across Canada has stated its concerns about the effect this deal might have on the country's ability to develop environmental policy, to establish environmental standards and to help industry meet some of the new environmental standards which may be set. What effect does the minister feel this agreement will have on Ontario's environment?

Hon. Mr. Bradley: In August 1987, when the National Task Force on Environment and Economy was here in the city of Toronto, I indicated my concerns about the possible ramifications of the free trade agreement, and there was a meeting held this past weekend of environmental groups, who once again underlined their concerns about the effects.

The main problem I have is that the pressures will increase on ministers of the environment across Canada to adopt those kinds of guidelines and standards and rules which relate to the environment and to impose American rules on us. They will say, of course, that because there is no tariff barrier at the border any more to protect them, they are in a position to try to pressure each of the ministers across Canada to adopt the same rules as the United States, and in many of the states, in fact the majority of the states, the rules and regulations which govern the environment would not be the same as they are here. In fact, they would be weaker than they are in Ontario.

Mr. Carrothers: With tighter environmental standards, there could well come a call on behalf of industry for more help in meeting the costs of these environmental standards. Does the minister feel that agreement might impact on this government's ability to help industry clean up its act and clean up our environment?

Hon. Mr. Bradley: If you look at some of the programs we were talking about yesterday, such as the waste recovery programs and the transfer of waste from one company to another for utilization in proper processes, you would find that in fact is an indirect subsidy from government. Those kinds of programs are designed to increase the kind of reuse and recovery and recycling of waste we would like to see.

Another excellent example is the acid gas reduction program which exists at smelters like Noranda in Quebec and Inco in Sudbury and Falconbridge in Sudbury and Algoma in Wawa. All of those have been discussed by the federal and provincial ministers as having potential for receiving funds. In fact, an agreement has been made with Noranda.

In that regard, I would say that would be placed in jeopardy if the free trade agreement were to be implemented. I think you would see American companies, as they already have complained about our mining industry, would in fact be trying to invoke American rules that would apply to us.

Interjections.

1520

Mr. Speaker: Order. I thank all members for their assistance. New question, the member for Sudbury East.

WORKERS' COMPENSATION

Miss Martel: I have a question for the Minister of Labour concerning Bill 162. I would like to return to the Minister of Labour, because he got so carried away answering yesterday that he neglected to actually answer the question I asked. I am going to make it very simple for him, so he will not be confused and will not be able to stray from the issue.

Mr. Speaker: Please do.

Miss Martel: The minister knows that the trade union movement, the legal clinics and the injured workers' groups in this province are demanding full public hearings across the province on Bill 162. Will the minister commit himself today in this House to guarantee there will be full public hearings across the province on Bill 162?

Hon. Mr. Sorbara: Just to correct the opening remarks of the member for Sudbury East, I would not say that the list of groups she rhymed off is objecting or demanding full public hearings. Let me say this about public hearings: I think she knows very well what the rules of this House are. The committee that considers the bill after a debate in this House on second reading will determine its agenda.

Mr. D. S. Cooke: We know what you said privately.

Hon. Mr. Sorbara: If the front row of the New Democratic Party will be quiet for just a moment, I will answer.

If the member for Sudbury East wants my views on public hearings, I have no particular

objection, but I am not going to usurp the responsibility of the committee to determine that agenda. I will tell the member for Sudbury East one thing quite clearly—

Interjections.

Mr. Speaker: Order.

Hon. Mr. Sorbara: If she thinks public hearings ought to be based on the kinds of representations she has made thus far on Bill 162, I do not think they will be fruitful. If public hearings can be fruitful and can add to the process, I would have no objection. The fact is, there has been a great deal of misinformation handed to injured workers, labour unions and a number of other groups, based on material that I have seen come from her office, and I think it is regrettable.

Mr. Speaker: That completes the allotted time for oral questions and responses.

PETITIONS

LANDFILL SITE

Mr. Adams: I have a petition which reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario, as follows:

"We oppose the proposed landfill site on lot 6, concession 4, Cavan township, in the vicinity of Peterborough county road 28 and Tapley Drive. We believe a garbage dump at the above location would have a negative impact on the Baxter Creek watershed and numerous farms that surround the site."

ST. JOSEPH'S GENERAL HOSPITAL

Mr. Adams: I have a petition from over 300 people concerning St. Joseph's General Hospital in Peterborough. It reads as follows:

"We, the undersigned, wish to voice our strong disapproval with any closure, shutdown or cutback of any department or service at St. Joseph's hospital, Peterborough."

Mr. Adams: I have another petition on the same topic.

Interjections.

Mr. Speaker: Order. I am finding it very difficult to understand what the members are presenting to the House. Thank you for your assistance. The member for Peterborough.

Mr. Adams: Thank you, Mr. Speaker. The petition reads as follows:

"We, the taxpayers, wish to voice our strong opposition to the cutbacks in health care in our community. We are very much against the proposed closing of 45 surgical beds at St. Joseph's General Hospital, and the layoff of the 55 nurses."

RETAIL STORE HOURS

Mr. D. R. Cooke: I have a petition from 40 employees of Weiland Ford Sales Ltd. who ask that we exhibit concern for their opposition to Bill 113—Sunday opening. They believe that the Ontario government must maintain Sunday as a day of rest.

BRIDGE REPAIRS

Mr. Harris: I have a petition which reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"That the government of Ontario undertake immediately to proceed with the necessary repairs to the bridge erected in Gibbons township, district of Nipissing, crossing the Sturgeon River on access road, called Leduc Road, linking highways 575 and 539. Its closure has inconvenienced thousands of people by their having to travel an additional 15 to 20 kilometres."

This petition is signed by 463 people, signed by myself, with a personal note from the federal candidate in Verner, from Benoît Serre, that says, "Please, David, you can move faster than that."

SCHOOL OPENING EXERCISES

Mr. McLean: I have a petition signed by 20 members of the Gleaners bible class of St. Paul's United Church in Orillia, which reads:

"To the Honourable the Lieutenant Governor of the Legislative Assembly of Ontario, the Minister of Education and the Legislative Assembly of Ontario:

"We, the members of the Gleaners bible class of St. Paul's United Church in Orillia wish to protest the Ontario Court of Appeal's judgement to discontinue the reciting of the Lord's Prayer in Ontario public schools. We strongly recommend that it continue to be said each day in school, as has been our custom for years."

INTRODUCTION OF BILLS

ARIANN DEVELOPMENTS INC. ACT

Mr. J. B. Nixon moved first reading of Bill Pr66, An Act to revive Ariann Developments Inc.

Motion agreed to.

PETERBOROUGH HISTORICAL SOCIETY ACT

Mr. Adams moved first reading of Bill Pr53, An Act respecting the Peterborough Historical Society.

Motion agreed to.

288093 ONTARIO LIMITED ACT

Mrs. LeBourdais moved first reading of Bill Pr55, An Act to revive 288093 Ontario Limited.

Motion agreed to.

ORDERS OF THE DAY

INTERIM SUPPLY

CRÉDITS PROVISOIRES

Hon. R. F. Nixon moved resolution 15:

That the Treasurer of Ontario be authorized to pay the salaries of the civil servants and other necessary payments, pending the voting of supply for the period commencing November 1, 1988, and ending December 31, 1988, such payments to be charged to the proper appropriation following the voting of supply.

Hon. R. F. Nixon: The honourable members would be interested to know that, if approved, this notice of motion will require about \$5.4 billion to service the expenses of the province until the end of the calendar year. The appropriate expenditures have paralleled quite closely the estimates in the budget. Since most of these issues have been going so smoothly, I am looking forward to simply a routine discussion and rapid approval of this motion.

1530

Mr. Harris: I find it a little bit offensive that the Treasurer tells us today that the expenditures are roughly paralleling the estimates. I have not researched it thoroughly, but I venture to say that there has probably not been a government in the history of this Legislature of Ontario, going back as many years as one would like to go back, where at this late date in the sitting not one hour of estimates has been provided by the government House leader.

Hon. R. F. Nixon: We wanted to do those yesterday and they set it aside.

Mr. Harris: Had we sat yesterday, we would have had three hours out of some 420 hours required by the standing orders.

Hon. R. F. Nixon: If only "hypocrisy" were a word we could use here.

Mr. Harris: I think I used it on the telephone this morning with the Minister of Consumer and Commercial Relations (Mr. Wrye). Actually, if he is not here today, I might withdraw it, but it was early in the morning when I used it.

Mr. Laughren: We know you meant it.

Mr. Harris: I did want to mention that, because the same thought comes to my mind with the Treasurer today. It really is a little bothersome the way the government has treated the whole estimates process. I do not know what it has to hide. I do not know why it does not want us to look at its budget.

We have not done one budget bill. This is a new practice of this government, to leave the budget bills until, in one case, after a provincial election. Now it appears he wants to leave the tax bills until after the federal election, because we see no sign the Treasurer has any interest in even debating the \$1.2-billion tax grab in the budget bills that we have coming before us.

I want to have that on the record as we enter this very lengthy debate, obviously necessitated by the lack of time spent on the estimates that we now must spend on supply.

The Deputy Speaker: The member's time is up.

Hon. R. F. Nixon: I just want to point out that there have been a number of occasions when our House leader has valiantly attempted to schedule estimates and in each instance these attempts have been nullified by initiatives taken under the rules by the opposition parties, quite often at the insistence and initiative of the very member who has just been critical, which is a most surprising aspect of his personality that has recently emerged. In fact, even yesterday we were anxious to debate estimates and the members set the matter aside so we could debate garbage, which admittedly is perhaps more interesting.

As a matter of fact, if the honourable members would agree with me that this is a routine motion, we could simply carry it routinely and revert to estimates immediately. I am sure the government House leader would be glad to accommodate me and the member.

The Deputy Speaker: Do other members wish to participate in the debate?

Mr. Laughren: I do indeed. I could not help but think when I was sitting here, though, since I am rising in my place to talk about the expenditure of \$5 billion why I do not get a real rush. It is not happening to me. I think it is perhaps because I have seen it too many times.

Hon. R. F. Nixon: It's your age.

Mr. Laughren: I can take that from the Treasurer.

We will support this government motion to pay the salaries of the civil servants of Ontario. I suspect that the Tories will too, despite their numerous musings on the worth of the civil service in Ontario and its numbers.

We, of course, have some observations to make on this, which the Treasurer calls a routine motion. First, the budget for this fiscal year, which the Treasurer presented last spring, was about \$38 billion, as I recall, and about \$1.3 billion was new taxes which the Treasurer decided he needed.

Many of us who observed the expenditures of the government are mystified by where that money is going. We know there is an accounting of government finances from time to time, but it does not really explain it.

Hon. Mr. Conway: Has this man ever met a payroll?

Mr. Laughren: Yes, as a matter of fact, I have met a payroll, but I will tell the minister about that some other time.

Despite the fact that the Treasurer raised an extra \$1.3 billion and despite the fact that the economy of Ontario is booming—which is like a double-barrelled benefit to the consolidated revenue fund, since a lot of the revenues that come in go up when the economy goes up in terms of corporate taxes, income taxes, sales taxes; so that it is not just \$1.3 billion that the Treasurer was able to get in new money, it is the new money that comes as a result of a booming economy, particularly in southern Ontario—at the same time that this money is coming in and the economy is booming, the list of programs that need funding continues to grow.

There really is an unlimited demand, it seems, for various programs. I think of health, education, child care and housing in particular, where there never seems to be enough money even to meet the basic needs. That is what mystifies a lot of people.

If the government is getting these massive new revenues and the economy is booming, when will we ever get our house in order as a government, as a people, and be able to meet those very serious demands? The demands are not frivolous; they really are serious. The needs, in some cases, are truly basic and I wanted to talk about those for a few minutes.

In response to these almost unlimited demands, the government seems almost paralysed as it staggers from promise to promise and

program to program. There really does not seem to be any real sense of purpose or any real agenda. If people were asked what were the major aspects of the new Liberal administration since 1987, I think they would be hard pressed to say what the priorities of the government were, other than Sunday shopping, and I do not think that is what the government wishes to be seen as, as historians write about it.

In 1987 the people of Ontario gave this government an enormous mandate, a truly remarkable mandate, and it seems to me that it is an abuse of that mandate not to do something positive with it. Surely that mandate came about for a couple of reasons. First, I believe the people of Ontario wanted a break with the past; and second, I believe they wanted to continue the reform program that was established between 1985 and 1987 as a result of the accord with this party. I believe that is why people out there gave this government the mandate they did in 1987, just a year ago.

As a result of that mandate, I really wonder what the government is all about. I will give the Treasurer a couple of quotes that really puzzle me. These come from people within his government. This is from the *Globe and Mail* of October 12: "The Ministry of Education trimmed \$3 million from a \$43-million program announced in the April budget to help school boards purchase computers and related equipment." That is a strange place to cut, given the age of high technology and the musings of the Premier (Mr. Peterson) about the importance of high technology.

Grants to literacy groups under the Skills Development ministry have remained static or been trimmed, and no new groups have been financed.

The Ministry of Community and Social Services cut \$2.8 million from a \$42.7-million program to provide homemaker services to the disabled and elderly, and cut \$1.5 million from Alzheimer's disease programs, which originally had been granted \$9.5 million.

With those kinds of cuts, given the enormous new revenues by the province, we cannot be expected to ask anything else but what kind of perverse agenda is in place out there by this government and what kinds of messages are being received out there by the people of the province when they see that?

1540

I look at health care, where, if our research is correct—and the Treasurer knows how seldom our research is wrong—the health care system is

costing the people of Ontario \$24,000 per minute in health care costs; a truly remarkable amount of money.

We know that health care costs have more than tripled in the last 10 years and now eat up a third of total Ontario government spending. In hospitals across the province, more and more patients are lying in acute care beds while they wait for residential, extended or chronic care beds. Government research shows that more than half of these people would be better off in home- or community-based settings, and that the cost of keeping the 45,000 elderly people affected in this way in nursing homes and homes for the aged is more than \$500 million a year.

Finally, Liberal and Conservative governments have refused to confront the institutionally biased and open-ended, fee-for-service system. The result is that powerful hospital boards, doctors, private laboratories and drug companies continue to control the financial goodies of this province. Given that, it is not surprising that the health care system is costing us \$24,000 a minute.

There is no emphasis from the Minister of Health (Mrs. Caplan) on preventive health care. There is no real push to teach health and nutrition in the school system. It is no wonder that our health care system is not only expensive but also very inefficient.

I cannot leave the discussion on health care without saying a few words about health care in northern Ontario. I am glad my friend the member for Lake Nipigon (Mr. Pouliot) is here because he will perhaps add to these comments later. I hope he does.

In June, part of our caucus went on a tour of northwestern Ontario to look at health care in the northwest. Then in September a number of us—and I included myself on this trip—went to certain communities in northeastern Ontario. We went to North Bay, New Liskeard, Kirkland Lake, Kapuskasing, Cochrane and Timmins, and we had over 50 submissions from people about health care in the north.

It is remarkable that many of the demands by people in the north are not expensive demands. They are demands that there be a different way of delivering health care in the north because the present system is locked into the past. For example, native people want control over the administration of health care on their reserves. Franco-Ontarians need services to be provided in their own language.

Health professionals, including specialists, general practitioners and therapists, could be

attracted and retained in the north if there was a medical school in the north. It is a very strong feeling. Even the Ontario Medical Association agrees with this now, that there needs to be a medical school in northern Ontario. Until that happens, we are for ever going to have a shortage of medical people, particularly specialists, in small communities in northern Ontario. That is not going to change until there is a medical school in the north. People trained there will practise medicine in the north. Without that, it is simply not going to happen.

As well, we could develop a different model of health care. I personally would not support a carbon copy of the University of Toronto medical school, for example, in northern Ontario. It should be a different model. It should be a medical school that deals with nurse practitioners to work in the small and remote communities in northern Ontario. It needs to be a model based on community health care, not the centralized model we have here. It needs to be one based on preventive care. That is simply not the model in the medical schools elsewhere in the province. We feel very strongly, as do those people who came before us. We are not asking for the same kind of medical school as we have down here. They want a medical school designed for northern Ontario.

One of the most impressive presentations we had was from North Bay, where the medical officer of health made a very powerful presentation on the need for some preventive health care. I believe at present 1.5 per cent of the Ontario health budget is spent on preventive care. If that figure was even increased by 50 per cent or doubled, from 1.5 per cent to perhaps 2.5 per cent or 3 per cent, that would make an enormous difference in what the health units were able to deliver across the province.

In particular, the chiefs from a number of reserves on James Bay and Hudson Bay came before the committee as well, in Timmins. They were the chiefs from Moose Factory, Fort Albany, Kashechewan and Attawapiskat. I thought the chiefs made some very moving and powerful presentations to our task force. They told us, for example, that the elderly in Moose Factory, which has a population of 1,200, have no chronic care. Chief Ernie Sutherland spoke of the "game of musical beds played to a sour tune that must be played to try and accommodate 30 elderly people in four beds in the active treatment hospital."

Kashechewan, with a population of 1,100, is accessible only by air or snowmobile and is in

need of an ambulance and 15 chronic care beds. It does not need the six polychlorinated-biphenyl-contaminated transformers that Ontario Hydro still has not removed from that community.

Moosonee, with a population of 1,300, does not have adequate sewers. Obstetric care is not available. Women must fly hundreds of miles to deliver their babies, often giving birth before they make it to the hospital in the south. Martha Sutherland, speaking in Cree, echoed the stories from the other communities in her description of Attawapiskat, where there is no proper sewer line and patients are transported in police vans or on snowmobiles instead of in an ambulance.

When native people approach the province, which, it seems to me, has jurisdiction over health care, they are often rebuffed and told to go see the federal government, that this is where the problem lies. For example, this government has rejected a proposal from the Moose Factory band for chronic care resources even though it knows full well that the medical services branch of the federal Department of National Health and Welfare will not provide for chronic care.

Here we have the Moose Factory band going to the Minister of Health, saying, "We would like some chronic care resources," and the Minister of Health, knowing full well the federal government will not deal with chronic care, says to them, "Go see the federal government." How cynical can you get? At least they should have the honesty to say, "No, we're not going to help you." Instead of that, they play this game of shuffling them off to the federal government, knowing full well—

Hon. R. F. Nixon: That is a federal responsibility. They have a treaty.

Mr. Laughren: The federal government will not deal with chronic care. It is as simple as that.

Hon. R. F. Nixon: They should.

Mr. Laughren: Perhaps they should, but they are not doing it. You sit on the sidelines and rub your hands.

The Deputy Speaker: The member will address his remarks through the Speaker.

Mr. Laughren: Thank you, Mr. Speaker. It is good to have a Speaker who is so interested.

Chief Sutherland said to us, and I quote: "Our people who require chronic care services don't need to be labelled a federal or a provincial responsibility, but rather as human beings who require a very basic, essential need as they age. All we have are two governments looking for an

inexpensive way of copping out at the expense of ageing first nation people."

I think that says it as clearly as it can be said. It is a game of jurisdictional ping-pong that the provincial government is playing with the federal government. So we are urging this government to do some things about chronic care beds, about ambulance services, about removal of PCBs and other environmental hazards in Indian reserves, and to provide proper sewers. It is the responsibility of this government to provide those things. If the federal government will not do it, then it seems to me, particularly in health care, that the province has an obligation.

I know the pressures on the health care budget are truly enormous. We do understand that. But we understand as well that there are some very basic health care needs that are not being met, and at this point we have no reason to believe the Minister of Health has either the clout or the will to proceed with the changes that are necessary in order to get our health care system on a different track, so that it emphasizes more the preventive nature of health care and the educational aspects of health care, and provides a different kind of delivery system, basically community based, in northern Ontario.

Perhaps I could turn for a moment to housing issues. It seems as though it is business as usual with housing in Ontario. The last number I saw was that there were 20,000 homeless in the province and I think about half of those are in Metropolitan Toronto. It is truly a serious problem.

Since this government came to power in 1985, the waiting list for people to get into homes has increased by 50 per cent. The backlog of rent review is now, I think, at about 25,000 cases. It is truly a jungle out there and it is not getting any better.

Home prices in Metropolitan Toronto have increased by 75 per cent in the last two years. If there is anybody responsible for that it is the person sitting across across from me. The Treasurer of Ontario had every opportunity to nip that land speculation in the bud. He had an opportunity to put to an end those dramatic price increases on housing in Ontario. He could have done it. It worked before. The Treasurer even admits now that it worked before, after he denied it for weeks. It worked before; it would work again.

1550

Yet the Treasurer sat there and watched housing prices skyrocket and did absolutely nothing about it. He did not increase the supply

of public housing that would have eased the pressure. He did not put on a land speculation tax that would have stopped trading in houses as though they were pork belly futures. He did not do anything like that; nothing. He just sat there and watched the prices go up, so that housing for many people in the Metropolitan area is simply a lost dream.

I wanted to say a word about taxes because the Treasurer is the resident expert, having raised more than any Treasurer in the history of this province. Therefore, I would assume he knows a little bit about it. As I said earlier, he raised almost \$1 billion just with the increase in the provincial sales tax, and he had two reasons for doing that, as I look back on those days.

First of all, he wanted the extra billion for obvious reasons, expenditures for programs. I understand that. I do not agree with doing it through the sales tax because that is a regressive tax, but nevertheless I understand the need for revenues to provide new programs.

The second reason he did it is one that is more diabolical, and quite frankly, less honourable. The Treasurer is very much aware of the federal government's plans for tax reform. The Treasurer knows that. He knows the federal government plans to impose a federal sales tax that will work, I assume—understandably, I would appreciate hearing from the Treasurer if his understanding is different from mine—so that the new federal tax would wipe out existing provincial sales taxes and be one large sales tax from which the provinces would extract their fair share. That is the way it would work, and the provinces would be compensated for their sales tax being wiped out and the new federal tax being imposed.

The Treasurer increases his sales tax by one per cent, even though the economy is booming like it has never boomed before. He increases the regressive sales tax by one per cent as a hedge against the new federal sales tax, so that when that federal sales tax comes in, the Treasurer does not claim seven per cent of the new federal sales tax for the province of Ontario; he claims eight per cent. I wish that the Treasurer—

Hon. R. F. Nixon: That is very strange arithmetic.

Mr. Laughren: Why is it strange arithmetic? What he is doing is putting in place negotiations for the future.

Hon. R. F. Nixon: If they have a tax of nine per cent and ours is eight per cent, why should I—

Mr. Laughren: He is claiming the equivalent. He would have claimed—

Hon. R. F. Nixon: —claim eight per cent of the revenue? Fifty per cent of the revenue.

Mr. Laughren: That is what I meant. Yes, that is right.

The Deputy Speaker: Order, please.

Mr. Laughren: When that federal sales tax reform comes in, the Treasurer will claim what would be Ontario's share if there were no federal tax and we still had our eight per cent—that is all I am saying—which would be, as the Treasurer correctly points out, about 50 per cent of what was raised.

Of course, the Treasurer knows full well that, presumably, the new sales tax is going to be somewhere between 15 per cent and 16 per cent in Ontario, and maybe higher; it may be up to 19 per cent. The taxpayers are not going to be particularly delighted when they start paying anywhere from 15 per cent or 16 per cent to 19 per cent on the purchase of goods at the store. It is not going to be just on goods. It is going to be on a much broader range of services, as well.

Mr. Pouliot: Right after the next election.

Mr. Laughren: I can tell the member that it certainly clarifies for us the reasons the Treasurer has not been resisting the federal tax reform. He sees this as a pretty easy political way of getting increased revenues, and quite frankly, he snuck in that one per cent increase in the sales tax before the federal tax reform takes place. It was a pretty sneaky way of getting at it.

In effect, there is obviously a clear message to the Wilson-Mulroney team in Ottawa, "Go ahead, because I have just increased my share of whatever you do." I think there was a very clear message there to Mulroney and Wilson that as far as Ontario is concerned, they can go ahead and raise their taxes and proceed with tax reform. It does not matter that it is going to be very regressive. It does not matter that it is going to be an extremely unfair tax.

At least Don Blenkarn, chairman of the standing committee on finance, trade and economic affairs, was honest enough to say, "It looks as though there is going to be \$10 billion in new revenue as a result of this tax." That is what he said. Brian Mulroney says, in the middle of a federal election: "No, Mr. Blenkarn. You should not have said that. It is going to be revenue-neutral."

Members should mark my words. They think they have heard the term "Lyin' Brian" up to now. Wait until after the next federal election. If the Tories win federally and they bring in this federal tax reform and we get an 18 per cent to 19

per cent sales tax at the federal level, wiping out the provincial sales taxes, and they see the new revenues that will go into the federal government, the term "Lyin' Brian" will be cast in stone.

What bothers me is that I expect this from Brian Mulroney. I do not expect the truth from him, but I am dismayed when I see this Treasurer playing the game and going along with that kind of sales tax reform and that kind of deception of the people of this province. It simply is not appropriate.

As a matter of fact, in a study done by Clarkson Gordon, it is indicated that Ontario consumers will pay between 16 per cent and 19 per cent sales tax on goods and services if that federal tax reform goes through. There is going to be hell to pay. Guess what? This Treasurer will not have fought the good fight to resist it, but at that point he will throw up his hands and say: "What are you going to do with those federal Tories? We are Liberals in Ontario. We would not do that." But he has been an accessory before the fact, he will be an accessory during the fact and he will be an accessory after the fact, as he sits there smiling like a Cheshire cat.

As I said, we do not expect anything better from the federal Tories, but from this government, we did expect more. We will see what happens, but it is clear that now it is too late to fight that battle. We are in the middle of a federal election. When the opportunity was there to fight it, the Treasurer was nowhere to be seen.

I want to spend a minute or two on how this government spends its money. It is really strange sometimes when I see it handing out its cheques. I raised it very briefly the other day during members' statements, where we only have 90 seconds to make a statement. It had to do with the Minister of Industry, Trade and Technology (Mr. Kwinter). He came galloping into Sudbury on his horse and he presented to Inco a cheque for \$2.81 million.

1600

I am a good friend of Inco and its senior management. However, I think even Inco's senior management would tell you that this year it is going to make a net profit of probably more than \$500 million. They had about \$300 million in the first six months, as much as they have ever had in an entire year in the best of all years. Here we have a company that is going to make a net profit of about \$500 million this year and the Minister of Industry, Trade and Technology comes in and gives them \$2.81 million.

For what purpose? Is it to improve the environment? No. Is it for research and development on safer mining methods? No. Is it for increased benefits to the pensioners, many of whom have very low pensions? No. What is it for? It is to help them develop new methods of backfill in their mine, something they do anyway. When they take out the ore, they backfill it so they can then proceed to mine the adjoining ore body. It is not something they do not have to do.

When the press went to him, the minister argued: "It is a program that they're entitled to. Just because they are big doesn't mean they shouldn't be entitled to it." That is a very strange rationale. He said also that other mines will benefit from it and it will be safer. Why cannot the mining industry do that itself?

Interjection.

Mr. Laughren: The member for Niagara South (Mr. Haggerty) knows Inco is capable of doing this itself. He knows as well that they have an obligation. If it is going to be safer, if they argue that they are going to investigate ways to make backfilling safer and so forth, is it not their responsibility too to make their operation as safe as possible and to do research to make sure that happens? Here we have the minister coming in and giving them \$2.81 million. It must be nice.

At the same time that is happening, Inco is winning appeals on its property assessment. Now the regional municipality of Sudbury owes Inco—I do not know if I have the figures here.

Mr. Haggerty: It's time for market value assessment.

Mr. Laughren: Stop throwing red herrings across the path. It is several hundreds of thousands of dollars and it could go up as high as \$800,000, they tell me. But this is only the first of many appeals and they have won these two. Here is a company that has not paid its fair share of property assessment ever and it is winning appeals to the Assessment Review Board, a provincial government review body. They are winning them.

Here is the city of Sudbury having trouble paying off its debt on the World Junior Games. I do not see the minister riding in and saying, "Oh, you've got a debt of around \$1 million on the World Junior Games," which everybody supported in the province—it is part of the rehabilitation of Sudbury, as I view it—"Here is \$1 million to help you pay off that debt." No, he rides into town and gives \$2.81 million to Inco. For heaven's sake, what kind of perverse priority is that? At the same time that is happening, the

women's centre in Sudbury closes because of no funding.

I do not expect the Minister of Industry, Trade and Technology to ride into town and give \$1 million to the women's centre. That is not the way the system works. But as a government, is there not something perverse about seeing a community struggle with sewer and water projects it cannot even fund within its boundaries, not being able to pay off the World Junior Games debt—something around \$1 million—losing appeals to the provincial Assessment Review Board and at the same time giving Inco a cheque for \$2.81 million simply to do mining? That is, to me, really offensive.

It has nothing to do with environmental improvement either. It will not reduce the acid emissions at all. Oh no, it is to help them backfill. It was an outrageous allocation of funds. I know members of the Legislature are not really supposed to stand up and complain when a grant comes into their community, but I want to tell you, there are times when it is so bad you really should do it.

I have heard the member for Nipissing (Mr. Harris) stand up and say that he did not appreciate some grants that went into his community. Just because it is coming into the particular riding does not mean it makes any sense.

I think that was fundamentally wrong and I would sure appreciate it if I could hear the member for Sudbury (Mr. Campbell) stand up and say there are better uses in Sudbury for that \$2.81 million than to Inco, which is going to make half a billion this year.

As though to add insult to injury, what did Inco do? They said: "Well, we're really have a boom year. We are going to take \$1 billion and feed it back into ourselves." The reason they did that—they had to borrow about half of that to do it and the bond agencies did not like it and lowered their rating—was they said, "We are worried." Well, I am paraphrasing because they did not quite put it that way, but it is all based on Inco having been worried about a takeover.

Their shares are very widely held. They are cash-rich at this point. The price of nickel is very high. They were worried about a hostile takeover. Hostile to whom? To the shareholders? No. To the workers? No. To the community? No. To senior management, that is whom. So what did they do? They said, "We're going to make it very difficult and very expensive for a takeover that we, senior management, do not approve of," so they increased their equity base by \$1.5 billion, as I recall.

What kind of nonsense is that? What a way to spend \$1 billion. Whom does it benefit? Does it benefit the community? No. The people who work there? No. The pensioners? No. It was an outrageous decision on the part of Inco. I know there is nothing to prevent them from doing it, but I think the bond agencies spoke loudly and clearly about what they thought of it.

I do not consider that capitalism or free enterprise. I said the other day that I thought it was self-indulgent and incestuous capitalism; that is what it is. It makes no sense whatsoever to anybody except senior management because it protects them from a hostile takeover, and that is an outrageous allocation of resources, considering they made their money from our resources. You wonder why we talk about the need for those nonrenewable resources to be in the public sector. We do not need a better example than that.

On top of all this, while all this is happening, galloping into town is the Minister of Industry, Trade and Technology. "Here's \$2.81 million dollars." That is what he did.

I will never understand how the government can then, with a straight face, deny funding for worthy programs. Even the Globe and Mail, in a lead editorial entitled "The Poison Pill" makes that point as well. I will not read it to members but the Globe and Mail had a lead editorial called "The Poison Pill". So it is not just the rantings of someone left of centre that you are hearing. It was truly a self-indulgent, selfish act on the part of Inco.

Mr. Pouliot: Totally, absolutely, explicitly. The Treasurer just sits there reading "Report on Business" in the Globe and Mail. What a shameful performance.

Hon. R. F. Nixon: The member is not in his seat.

Mr. Laughren: I will not go on about Inco, because I do not want to offend anybody there, but—

Mr. Faubert: Why not? You offended everybody else.

Mr. Laughren: I just wanted to express my frustration in a way that you cannot do in a 90-second member's statement; that is what I wanted to do, because I think it is not fair to the community for Inco to have done that; and second, it is not fair to the community for the Minister of Industry, Trade and Technology to have done what he did. It is a very strange allocation of resources.

While I am talking about Sudbury and while the member for Sudbury is here, and I am really pleased he is here because I am sure he will want to get into the debate, I want to talk about something New Democrats started talking about in 1982, and that was—wait for it—a fertilizer plant in Sudbury. Back in 1982 we recommended that there be a fertilizer plant built there using the Cargill township phosphate deposits. Up near Kapuskasing, in Cargill township, there are phosphate deposits. At Sudbury there is an enormous amount of acid produced as a by-product of the nickel mining operations. When you combine phosphates and acid, with a few other ingredients I am sure, you get fertilizer.

1610

We called for it in 1982. In 1986 the Minister of Northern Development (Mr. Fontaine) finally commissioned a study on it. The Tories never would. They would not even look at it. They said, "If the private sector doesn't want to do it, we don't want to touch it." The Minister of Northern Development, to his credit, in 1986 commissioned a report.

The report concluded that it was a feasible operation, that the ore body would have a 13-year life and that it would create 80 jobs in Cargill township up near Kapuskasing and 80 jobs wherever the plant was built; and of course, there would be service jobs, trucking jobs and so forth. It was quite a major operation for northern Ontario. Those are big job numbers in the north.

In 1986 the minister commissioned the study and this is what he said. I would not want to misquote the minister. This was on March 27, 1986: "Northern Development and Mines Minister René Fontaine stated, 'The ministry staff have already begun to draft terms of reference for a consultants' study that would, in its first stage, assess, in conjunction with the Ontario Ministry of Agriculture and Food, the market outlook for fertilizer and other products, based on northern phosphate and sulphur products in the Sudbury mineral operations.'"

I draw your attention to a couple of phrases in there: "that would, in its first stage, assess"; second, "sulphur products in the Sudbury mineral operations." When the consultants' report was done, it talked more about the Timmins acid operations than Sudbury's. I found that a little strange. Anyway, that was what they did.

In June 1988, there was a meeting in Sudbury to discuss the study. This is a couple of years later now. Why the government sat on it as long as it did, I do not know. Anyway, there was a meeting and a lot of elaborate correspondence has flowed

back and forth since then. I should tell members that the study that was done was not ambivalent about the possibility. It was quite clear. I quote from that consultants' study.

"The attractive economic benefits revealed in this preliminary study warrant more detailed work to prepare a final development plan for Ontario's Cargill phosphate deposit. It is our opinion that after additional studies are completed to fully define the project's scope, such a development plan will have a good probability of proceeding to completion. This plan will likely include development of a phosphate mine at the Cargill site and may also include development of a new phosphate chemical plant in Ontario or the reactivation of an existing idle facility, such as exists at Port Maitland and at Courtright."

It goes on to say: "An initial description of sequential actions for developing Ontario's Cargill deposits is recommended below." This is the next stage they are talking about.

"1. Obtain from appropriate authorities acceptance of the project as described in this preliminary report and tentative financial commitments to support development, i.e., approval in principle.

"2. Identify the primary developer or developers who will assume authority and responsibility for moving the project to a timely completion, including commitments of deposits and plants, preparation and execution of contracts, production and marketing of products and financial matters. The developers should select a contractor or contractors for conducting the integrated project study and work closely with the contractor or contractors during the study."

That was what the consultants' report said. When we saw that, we were very pleased at the work that had been done and began writing letters to the Premier and to the Minister of Northern Development to get on with phase 2 of the study. This was back in June and July 1988.

Now, what is happening? I wrote a letter to the Minister of Northern Development on April 25, and four months later I got a reply in which he apologized for the delay and in which he indicated that he is interested in following it up, but on the other hand, you know—I will read what he says:

"I regret the delay in responding, but as you will recall from our discussions in the House on this matter, this ministry is prepared to become involved in a follow-up study if interested private sector representatives agree to participate financially."

It is "if." At no point did we ever demand, insist or even urge that the government do the whole project. We were saying that the government's responsibility was to do the lead-up to it, all of the studies and so forth to see if it was feasible, and to talk to the private sector.

Suddenly, the minister is saying that even for the study purposes the private sector has to participate financially—even for the study part of it. I was not very happy when I saw that. That was on August 31. On September 15, the Minister of Northern Development replied to Homer Seguin from the United Steelworkers in Sudbury, a man who has spent an enormous amount of time over many years working on this project as well, and who knows a great deal about it.

He states: "A copy of my letter to Mr. Laughren is attached for your information. As you will see in that letter, I believe there is sufficient justification for this ministry to initiate contact with several private sector firms that may have an interest in participating financially in the phase 2 phosphate study." Financially in the study; not in the project, in the study. "This ministry's further involvement in this project depends on the private sector coming forward to support it as well."

All of a sudden, we have gone from the ministry agreeing to do this study—the first one I quoted from was a very preliminary study—to saying, "Well, we are going to wash our hands of it and insist that the private sector get involved with it." That is not going to happen unless the government takes the initiative and does the preliminary study on it. It will not do it. We really feel snookered by the Ministry of Northern Development and Mines.

There was a real opportunity here to do something that I think was really meaningful and I am very disappointed. The regional municipality of Sudbury has written to the minister expressing its dismay as well. The report indicated that there is going to be a need for new phosphate supplies by 1992. You do not build a study overnight. It is going to take time to complete the study and then actually build the plant. If we keep moving at the pace we are moving, by that time somebody else will be filling the vacuum that is there to supply the phosphates, unless we get that plant on stream. Yet this government will not even take the necessary step to do the next phase of that study. That is fundamentally wrong, I think, when it has an opportunity to use a resource and create jobs in two different places in the north.

They would get a real bang for their buck up there because they would be developing in Cargill up near Kapuskasing—I think that is even a government-held riding—and they would get a bang for their buck in Sudbury, which is also a government-held riding. What are the people of Ontario going to think if even though they elect a member on the government side, it cannot deliver phase 2 of a study?

What is the sense of the member for Sudbury being there with we opposition members? I will be interested to see what he says. I am making the assumption that the member for Sudbury is going to speak on this routine motion put by the Treasurer. I am urging the member for Sudbury to get off the sidelines, get into the game and do some very public pushing of the Treasurer and the Minister of Northern Development so that the good people in Sudbury, and they are good people, will know why they voted for a member on the government side.

1620

Hon. R. F. Nixon: I always like to hear the honourable member contribute to these debates. It is always useful. I am not even going to argue about whether it is on or off topic because I have approached that argument from both sides.

The honourable member referred to the tour of northwestern Ontario by his caucus. I am sure he is aware that the government caucus, the Liberal caucus, also went to northwestern Ontario. We had a very educational time. I understand the member's caucus travelled in a school bus and that there was room in the back for the portable crowd it normally takes with it to those meetings.

Actually, we went to Quetico. We were certainly well treated by the people in the surrounding area, in Atikokan, and had an extremely interesting time.

Mr. Pouliot: We don't fly in at ministry expense.

Hon. R. F. Nixon: No, no. None of that.

Just in the few moments I have before a more formal response to the points the honourable member raised, he was talking about federal offloading. This is a matter of great concern to me as Treasurer. The honourable member would recall that over the last three years, the reduction in the rate of increase for the established program financing has really meant a substantial difference for the budget of Ontario.

As a matter of fact, we are short about \$1 billion for post-secondary education and health services in the amount that would have been coming to us if the formula had been maintained as it was during the last year of the former Liberal

federal administration. To be fair, it was also phasing down its support because it felt at the federal level it could no longer continue to pay the traditional 50 per cent of the costs of these open-ended programs.

The support on these formerly federally supported programs is now down to below 40 per cent, about 38 per cent, and one of the big differences in this budget is the \$1 billion of federal money that is missing.

The Acting Speaker (Miss Roberts): Would the honourable member for Nickel Belt wish to have two minutes in reply?

Mr. Laughren: I do understand the Treasurer's concerns about the federal offloading, as he calls it. I do not question his numbers at all. I was quite serious when I spoke of my fervent hope that the member for Sudbury will engage himself in this debate because I think it is important, what is going on in Sudbury and what is not going on there. The people in Sudbury certainly look forward to hearing from the member for Sudbury.

Mr. Cousens: We are dealing with a subject that has many ramifications to Ontario. I would like to spend some time thinking of the effect it has on Metropolitan Toronto and the greater Metropolitan Toronto area.

What we are dealing with is an area of our province that has probably been one of the most successful commercially. More and more people from around Canada are coming into Ontario and settling into Metropolitan Toronto and the greater Metropolitan Toronto area, bringing to the city success, the like of which is the envy of just about every city and municipality in Canada. In fact, this is a centre that is becoming a financial centre for the world and is becoming one of the great cities of the world.

As one who went to school in this city, I happen to—

Hon. R. F. Nixon: The federal Tories do not want it to be a financial centre.

Mr. Cousens: I am disappointed at that. I see there are so many things in Toronto that make it a place we want to keep, we want to maintain, we want to build upon. We want to keep it as a place where people will continue to enjoy their families, enjoy their culture, enjoy good recreational outlets, have good shopping, to bring commerce together so you have an opportunity to do those things in the free enterprise system that make this city tick.

As one who has seen university life here, as one whose mother lives in the downtown core of

Metropolitan Toronto, I know the place from a very personal and intimate view and want to preserve as much as I can of the character and beauty of this city and also something of the fabric and the infrastructure that allows this city to continue to become an even greater place.

Yet I have great fears, as I think many, many people are having now, that the growth that is taking place in and around Metropolitan Toronto is going to have its toll, a toll that will begin to have an effect on people who cannot find a house to live in, people who are having trouble getting to and from work because the transit systems are overcrowded and because there just is not a way of getting in by train or because the GO Transit services have not been expanded to meet the needs of the outlying areas.

We are talking about a community that has people within it who are homeless and helpless on their own part, but the province and the municipalities are not really doing their share to help them out. We are talking about a city that has a character that is becoming blemished because of the failure by the province to take seriously these crises that are beginning to manifest themselves in this city.

I think one of the examples of it was an article by Sean Fine, of the *Globe and Mail*, not too long ago, when he said Metro is a mass of crises heading into a vote.

Mr. Harris: On a point of order, Madam Speaker: I do not recognize, on the second day back, a quorum.

The Acting Speaker ordered the bells rung.
1628

Mr. Cousens: The people who I want to hear this message are not necessarily sitting across from us today, but there is a message.

Mr. Laughren: Start all over.

Mr. Cousens: No, I am not starting all over. I happen to believe that there is a heap of crises developing in and around Metropolitan Toronto, and the article by Sean Fine in the *Globe and Mail* just over a week ago was entitled "Metro a Mass of Crises Heading into Vote." We all know it is municipal election time on November 14, and certainly the people of Metro and the greater Metropolitan Toronto area have to be confused as to whose responsibility it is to help solve some of the problems that are becoming critical in the eyes of those who are trying to get to work and trying to find solutions to it.

This article just talks generally about the housing crisis, the garbage crisis, the disposal crisis, the transportation crisis. As Alderman

Brian Ashton from Scarborough says, "It is a coming-out party. It's Metro's own bar mitzvah." He has fun in describing the problem, but he touches upon it when he says, "We've lost our vision, we've lost our anticipation. I sum it by saying, is there life after the Dome?"

When I talk to Metro councillors, and when I was talking with Ron Watson, who is running for Scarborough council, he feels a great sense of estrangement between his own Scarborough—

Mr. Campbell: Don't mention any names. Tories; it's the kiss of death for re-election, a schism.

Mr. Cousens: I do not know who. The different people in these articles and so on who are commenting and are concerned with what is going on feel that they are acting alone and they are isolated, that no one else seems to understand the gravity of the problems they are having.

We have a series of crises that are developing within and about Metropolitan Toronto that we here in Ontario have to begin to take far more seriously. It is not something that we can put off until tomorrow. It was not just a few days ago that this great city began to become what it is, but I will tell you, it does not take long to destroy that which our forefathers and those who have come before us have tried to build here.

1630

There is a tremendous impact from the growth. It is just a matter of realizing where Metro Toronto is today and that it is going to be even bigger in the next several years. Ontario's rate of growth is at 0.7 per cent. The projected population in the year 2006 for Ontario is about 10.5 million people. Toronto will continue to be the magnet for the province as people come to this area and realize that this is where they can make a living.

What is the province going to do to help sustain this growth, to help manage this growth, to help allow this great area to continue to have its own character and the seeds of its own growth rather than the seeds of destruction built within it?

I have to say that unless there is action taken by this province, unless we begin to see a closer relationship between the province and Metro and local governments in trying to address and resolve those problems together, then we are going to have a problem of disintegration rather than one of growth and one that is of a positive nature.

We need far more emphasis by the province in participating in a leadership way in trying to come back to those municipalities to bring them

together and find a common way of solving common problems instead of throwing the problem to the municipalities, saying, "It's your problem, not ours." More and more programs are being placed by the province on the municipalities. At the same time, we are seeing less and less investment by the province in the municipal costs of trying to provide those services.

We have a series of problems, and we cannot just come along and say, "Oh, it's so nice to be back at Queen's Park." Indeed, there is something good about being back. We have had one of the longest holidays I can remember. The fact that the Legislature could have been dealing with some of these issues sooner is an indication that the government—the Premier and his cronies—has other things to do than deal with the issues important to the people of Ontario.

Anyway, we have a chance to do something about it now if indeed this government can give the leadership in the key areas of environment, waste management, education, housing and transportation. These are issues that are beginning to hurt in this greater Metro Toronto area.

What is this government doing with regard to the environment and air pollution in and around Metro Toronto? Why does this government not begin to say, "We're going to do more than we've done in the past to clean up the environment"? Put the investment where it counts. Maybe what we would have to do is put scrubbers in the Hearn plant so that we cease to be a contributor to acid rain in this city.

I have not heard the pollution counts for a while because they do not give them on the radio any more, but there is not a day right now that you cannot sniff it in the air. This city should be far purer if we were doing our share to keep the air pure.

I believe this government has a responsibility to it. We are getting words, but we are not getting action. I think every one of us in this House has to become far more alarmed and concerned with the environment. Every one of us should become an environmentalist, aware that our common future depends on our ability to protect the ozone layer, to help make sure that we do not have the increasing problems of the greenhouse effect, that we are doing our share to recycle and reuse things, that we are really being leaders in making a conscious effort to set an example to the world. We are not.

Hon. Mr. Elston: The Tories never have been.

Mr. Cousens: I am saying the member and this government are failing to give the leadership

on environmental issues affecting the very air we breathe in this city. I think we should not take any kind of back seat to anyone. If we are going to be serious about our environment, then we all have to make a commitment to do everything we can to manage it better and to plan for the future, to protect this land, this great place, for future generations.

Why is it that this government does not begin to take seriously the problems around the management of waste and landfill sites? Why is it that Metro Toronto has to come along and spend \$300,000 on a plan to double the size of the Keele Valley landfill site in Vaughan? Why is it that this government will not come along and work with Metro Toronto and the greater Metro Toronto area to try to resolve the problems of finding those places for landfill sites?

It is becoming a desperate situation. It is so desperate that we almost saw landfill sites going into the Rouge Valley, and that is the last thing we need. There are places where we can create the proper environment to place our dirt, our refuse and those things that are left over. We all generate it. But we as a government should not just say to the Metro council and the surrounding regional councils, "It's your problem."

We come along and make it their problem because we will not get involved. I am convinced that the Minister of the Environment (Mr. Bradley) will not have an environmental assessment hearing on the whole problem of the Keele Valley landfill site. The Keele Valley landfill site, in case people are not aware of it, is near Maple, in Vaughan, in the southern part of York region. It is the largest landfill site in Canada. It presently has a capacity of 20 million tons. It is already up to seven million tons. By the year 1992, that landfill site will be filled. What are we going to do between now and 1992, and where is the leadership coming from in this government?

Metro Toronto is saying, "Well, for \$300,000 we are going to do a study to see whether or not we can expand that landfill site to double it in size." The fact of the matter is that that site was reviewed in 1978 and it was decided then that, because of the aquifers underneath it, because waters that are underneath it feed into the Don Valley into the Don River, it was not capable of being expanded; and yet here Metro Toronto is now considering, by spending \$300,000, doing just that thing. We need to be assured that this government is going to give leadership by saying: "Hey, whoa, boys. Before you do that, let's go through the environmental assessment so that we can be absolutely certain that what you

are going to be doing in the Keele Valley landfill site is the right thing and that we will hear from all those who are capable of articulating the situation and understanding it well so we just do not make a mistake."

We cannot afford mistakes in our environment. We have got to do the right things for the future, and we are not doing so right now, because we are seeing a government where the Minister of the Environment has almost washed his hands and is not taking the kind of role that he can in coming together with the representatives from regional councils and Metro councils to develop a long-term solution.

Mr. Haggerty: Has Markham got a site up there?

Mr. Cousens: Yes, we use the Keele Valley site, and York region uses that site. We are allowed to use it, but so is Orangeville, so is Midland and so is Tiny. The honourable member wants to know about the landfill site, but the problem is that I do not know what we are going to do in 1992 when it is filled up, unless they double it; and if they do that, then that becomes another problem. We need leadership and we are talking about a community that is starting to worry about it, and that is one of the crises that is brewing.

When you have growth coming into Metro Toronto, as we have it right now, it brings the good and the bad. I hate to see the suffering that goes on because of growth. We are seeing now an increase in the number of portables in my area and in and around Metro Toronto the like of which I have never seen. I was chairman of the York Region Board of Education, and in those days we thought it was bad when you had a few portables around. Now I go to schools and there is not a school in my community that does not have three or four or five and some as many as 10 or 12. I have got some schools where a third of the young people are in portables.

Since this government came to power, that of the Treasurer, who is responsible for trying to see that the money is spent properly, we have seen an increase in the number of portables, from September 1985 to now, of 71 per cent. The portables in use in Ontario have increased from a figure of 4,096 in September 1985 to a figure now of over 7,013.

That is not good if you are talking about quality of education and about the needs of young people and drawing them into a community. Have members ever been in some of those portables? Some of them should have been burned years ago. Are you talking about environ-

ment? You have got to have certain things in place when you are setting up an educational environment for young people. I will tell members, with the lack of air-conditioning, and not just air-conditioning but the flow of air, the heating and the smell of wet feet in the wintertime, you just have to go in to realize that it is just not a wholesome, good environment to be sending our kids to school in.

To anyone who is listening right now who has his child going to portables, it is probably only the teacher who is saving the day for the young people, because the teachers are the ones who are living with the hardship. The washrooms are not working and they do not have sufficient numbers of them. You end up having libraries and resource rooms not being available.

1640

The growth of this city is not being managed. We are seeing it come out piecemeal. The Minister of Education (Mr. Ward) will come forward in the allocation time for schools and say, "I will have this and that and this and that." But planning could take place right now, because in Peel, York and Durham, where you are having instant new communities, they still have to wait until 80 per cent of the students are resident before they get their schools. That is absolutely ridiculous. In the meantime, we are seeing portables and more portables. Then they move the portables to another school. I bet there are going to be some children in and around Metro Toronto who will never be out of portables.

Now we are talking about planning and managing growth. The portables in the schools are purely a symptom of the greater problem we are talking about. We are going to have a community, people who come along and pay their taxes, do everything else within that area to make that investment, buy their homes and bring in their families and want the best thing for them, and what we are giving them is second- and third-class facilities.

When I talk about there being an educational problem, I am serious. I am saying it is a matter of making the proper investment at the right time in order to help our young people. What greater and more important resource is there to this country than our young people? Then why are we giving them second-class treatment? I do not really care whether we end up having some of the extras that we put into schools, but at least let's have a proper roof over their heads.

There is no doubt that in this great Metro Toronto area we have a housing crisis. I pick up the sarcastic remarks from different people who

say, "Does Markham have a housing crisis?" Yes, we have a housing crisis in Markham, in my riding, and we have it in Metro and we have it right around this greater Metro Toronto area. It happens to be a different kind of crisis for different areas, but the problem has to be addressed.

This government has not come out with a comprehensive housing policy, which it promised over two years ago. Now come on; if we are going to begin to deal with the situation, there has to be a plan. Instead, what I am getting from the Minister of Housing (Ms. Hošek) and the different ministers all involved in trying to address the housing situation is a little bit here and a little bit there but nothing really that comes together. There is no comprehensive housing policy on the part of this government. By virtue of not having that, it means the government just coming out and saying, "We'll put a little house here and we'll put another place there."

We have not begun to understand the land that is available to be developed for affordable rental housing. And how about making housing so that people who want to buy their house can buy it? It is out of sight. Someone who wants to buy a house in Metro Toronto will not be able to afford it, because the price of an average home for a first-time buyer is over \$200,000. They will not even qualify for the mortgage. In fact, the kinds of incentives the government has tried to give the new home buyer to get a start on it do not make any difference, because by the time he will save that up the inflation and everything else is just out of sight. They are out of luck.

That is the problem. This is going to become a luckless city if we do not begin to take seriously the problems of the people who make it up. We are seeing this intensification going on in Metro Toronto, where they are taking a house on my mother's street and other places like it, and instead of there being four or five roomers and two or three apartments, someone comes in from somewhere else and says, "I'm going to fix up that house." They do a beautiful job, and it is delightful as far as the landscaping they put on it, the new paint jobs and their new BMW that goes in front of it, but in the meantime 4, 5 or 10 people have been affected.

They are shunted out and can no longer live in the heart of downtown Toronto. They are having to go outside of Metro Toronto because of the government's apartment policy and whole business of rent control. We are not having more rental units, so they are going farther and farther out and are having to commute farther and farther

to come into this great city. They are ending up living all over the place, commuting from Barrie and neighbouring areas, taking so much longer than ever before to get to work.

The transit systems have not expanded north, east or west. The transit systems have not improved their service in Richmond Hill since 1976 when they were brought in. You end up having three trains down in the morning and three trains back at night. These have to be expanded and built upon. The rail lines are there. Why not add the trains to make it work?

We have a crisis in housing. If we want to get people into downtown Toronto, they have to have a place to live. We have to give them encouragement and someplace that gives them self-respect, someplace where they are not going to have to spend more than 30 per cent of their income on a roof over their heads. In fact, because of the problems in Metro Toronto, many now are spending far in excess of that; so food banks, which were supposed to be a temporary solution, are becoming commonplace.

Thank God the people on Thanksgiving came and gave heartily so that those people could go to those food banks and draw out of them food to help their families. But the province almost encourages it by virtue of not implementing some of the recommendations in the Thomson report, by allowing things to just sit, saying: "Well, we're waiting. We're going to study the problem more." The government is so good at studying you would think it would learn something and show leadership by saying, "Here are the things we're going to do." I come back to it; it means to come out with a comprehensive housing policy, develop a strategy and then work the strategy—make a plan and implement it.

We are not seeing that from this government, and I think the people of the province are beginning to realize that what they elected was a 95-seat majority for David Peterson and the Liberal government: just that. They have elected them. They are just hoping they can coast into another victory two or three or four years from now when they call an election. I know they are going to be held accountable for the failure to address and meet the needs of the human beings who live in this province and in this greater Metro Toronto area. They are disappointed in that lack of leadership.

Hon. Mr. Elston: Don, you'd make a good after-dinner speaker. Why don't you stop and come back after dinner?

Mr. Cousens: No, I have a long way to go. I am just so excited that the Chairman of

Management Board is here. He is one of the hardest-working members of the government, and for him to be doing his House duty is indeed a credit to him and his sincerity and good government.

[Applause]

Mr. Cousens: He deserves a clap: one-handed.

I have to say that there are health care problems. We have in Metro Toronto some of the greatest hospitals on the face of this earth. We have to be proud of the fact. It has taken many years to put all those skills and services in place—the Hospital for Sick Children, the Wellesley Hospital, the Doctors Hospital, the Toronto General Hospital—and what we are seeing now is the problems that come from stress, the lineups that are occurring for operations and the shortage of blood.

How is blood a provincial problem? I see it as a problem because people must be afraid of certain things. There needs to be some involvement with the Red Cross to help it in trying to provide a strong health system. We cannot do it ourselves. We need the volunteer agencies out there, but they are just struggling and are not getting the support from this government they used to get from a Conservative government. I know the problems they are having are not just small ones. They will soon come back to haunt us.

In the past we have been proud of our health care system. I think we still are, but let's not allow some of the problems beginning to manifest themselves within that health care system to erode it further and to reduce the quality of care, the quality of life of those people who need it. It is one thing to say it is universal health care and it is free to everyone. It is another thing to drive that system to an excellence that puts the patients' needs at the highest level of priority so that we are caring for people as they should be cared for.

I do not know what we are going to do with the infrastructure that makes up Metro Toronto. I am worried. I know it is taking longer and longer to drive from point A to point B. I do not care if it is just one block away or two blocks away; it is taking longer to get there. And when you get there, there is no parking or, if you are lucky enough to finally get the parking, it is going to cost you a fortune. If you want to leave your car at home and use public transit, you get on and it is crowded to the hilt. How many people have used the subway lately and realize just how many people are using public transit? What are we doing to expand upon it and to build upon it?

It is going to take an investment by this government into the future, in co-operation with all these municipalities that make up Metro and greater Metro, to come up with a strategy to address and respond to the growth we are going through. I mean, there has not been a new highway built in this province in so long. I probably will not be around to use Highway 407, which is in the middle of my area, by the time it is going to be finished.

1650

Mr. Wildman: You are not that old.

Mr. Cousens: Well, I am feeling older by the minute.

Highway 407 is a \$650-million project that will begin to relieve Highway 401, that will give us east-west service across south York region, relieving some of the traffic congestion in all the surrounding areas. At \$25 million a year, which is what the government is putting into it, it is going to take 24 years before the highway is finished between Highway 404 and Highway 427. That is absolutely ridiculous. We need that highway, and it needs to be accelerated. Instead of just building a little section at Highway 400, this government should be looking at building another section over from Highway 404 and another section at Highway 427 so it comes together quickly. Commerce needs it, people need it and Metro needs it.

When are we going to do something more about the Sheppard subway? The people are depending on public transit. Let's face it, the roads are clogged. We have got to come up with alternative ways of getting people to travel, so let's start using services we know work. Let's use existing rail lines and expand the rail service.

When we are challenging this government to respond to the needs of Metropolitan Toronto, we are saying that this government has to begin to say that it is going to do something about the roads and transit services. Today, the Minister of Transportation (Mr. Fulton) says, "I have a new announcement to make on accessible taxi service." He has made it before and he will make it again. But why does he not put the money where it really begins to count, on the roads and on the transit things themselves? We need the transit services for the disabled who want them.

Do not just think that will suffice over the provision of the roads and those networks and those services that really make a city come together. If you want to go to a cultural event from Peel or Durham right now, you almost have to stay at work and meet your wife. You just cannot drive in at night any more. If you want to

come down in the morning and get to a nine o'clock meeting from where I live, you leave at 7:30. The number of man-hours and woman-hours that are being wasted on the parkway is just incredible, and yet there is no strategy from this government to address, to resolve and to meet the problems of this infrastructure of Metropolitan Toronto.

There is just no doubt that everything that is happening here with roads is a serious problem. I refer the Better Roads Coalition, on the congestion on our roads. I would like to quote from its recent document, which says:

"The problem of underfunding Ontario's road and highway systems has become chronic. On an after-inflation basis, the deterioration has been alarming. For example, after accounting for inflation, expenditures in 1986-87 on the provincial highways program were almost 45 per cent lower than their levels in the mid-1970s."

Now, come on. That is what is happening. The government is not putting the dollars where they count. I know it increased taxes and I can see the effects of that, the eight per cent now, and everybody almost takes it for granted. Some people seem to have forgotten. Well, we will not let the government forget. It increased it from seven to eight per cent, and what is it doing with that money? It sure is not coming back into Metro Toronto. I would like to know how much money the government is taking out of Metro. The Treasurer has gone. Of that one per cent out of Metro, how much is it putting back into Metropolitan Toronto?

The fact is that the people in the province of Ontario are ending up having to pick up the cost at the municipal level. It is the trickle-down effect. You pass the responsibility over to the municipalities, and the municipalities are having to increase their property taxes to such an extent that it is becoming a heavy, heavy burden for property owners just to pay those municipal taxes.

An example of that is in the budget increases in Metro Toronto and in Durham and Peel. I guess the problem is that when you start quoting from these, you are not exactly sure of the years or the dates. The fact is that the province has increased its grants by about three per cent a year to these municipalities. But the budgets—the tax itself has not increased by this much—have increased, in Peel, by 16.2 per cent in 1988 over 1987; in Durham, the budget increased by close to 40 per cent. Meanwhile, the province thinks everything is going fine. What they are doing is passing the problem back to the local municipalities.

It ends up as, how can the people who are on fixed incomes continue to maintain their homes? They are worried about it and I am worried for them. You talk about a government that talks about education taxes and you know there is just no doubt that when you see the cost of education, it has to do with the ratios. How much of your education dollar should be paid for by the province or by the local ratepayer?

The fact of the matter is they have it reversed. When members opposite were in opposition they were saying the province should be paying 60 per cent of the educational tax costs in the local area and the local ratepayer 40 per cent. It is the other way around in my community. It is the local ratepayers paying 59 or 60 per cent of the education costs and the province paying 40 per cent. It is reversed. Those become huge dollars and they become dollars that are being paid by the local ratepayers, the local municipal people and not the province.

It has to become a shared responsibility, where both the province and the municipalities are working together to make this a better world, a better community, a better Metro. What we need from this government is a comprehensive plan for the future. I do not think there is anything worse than to see the slow and gradual erosion of quality of life and services, the quality of everything going down before your eyes.

I love Metropolitan Toronto and the area surrounding it too much to see that continue to happen. It should become a priority for this government that it not just sit back and watch this happen. There is not anyone from our party, except for myself now, as the Metro Toronto spokesman, to deal with this issue, but we are committed to fighting for Metropolitan Toronto, committed to making this government wake up to its responsibilities. These responsibilities are not light ones. They are serious, because you are talking about establishing priorities that say: "Okay, these things are important. Housing is important, environment is important, and transportation and all these services that are needed for people are important."

We are at a critical point for Metropolitan Toronto and the surrounding areas of Peel, Durham and York. It is high time this government, instead of just nickel-and-diming us and putting more money into things here and there—we do not know where it goes—instead of just adding more civil servants, instead of just spending on all kinds of things, had some priorities that we could measure, that we could see, that we could understand, especially when it

came to dealing with the future of what is one of the most beautiful communities, in this greater Metro area, that you could ask for anywhere in the world.

It is not something that will happen unless there is a commitment by this government. All I am asking for, in our opportunity today, is that the government begin to take this far more seriously than it has and begin to make some moves, not more fancy announcements. Let them come together with the new municipal councils and say: "Let's work together to solve our garbage crisis and solve our transportation crisis. Let's get in this thing and make sure this continues to be the jewel of Canada."

The Acting Speaker (Miss Roberts): Does any honourable member wish to comment on the remarks made by the member for Markham?

Mr. Pouliot: It is difficult at times to stand like a soldier at our post, but love for the people of Lake Nipigon gives me some latitude and some tolerance to suffer in relative dignity, and very often in silence, when members are called for the purpose of comment on what has been said, not only by the member for Markham (Mr. Cousens) but by people from the government and the third party, in terms of equity in housing.

It is quite one thing to perspire sincerity, to appear to be concerned with what is indeed a tragedy—I am talking specifically about the high price of housing—and yet, on the other hand, to go into the corridor with acquaintances, friends and relatives and to relish the amount of dollars that have been made in a distorted market. I guess in most instances you cannot have it both ways, but, "Wrong, wrong, wrong, the member for Lake Nipigon should realize that you can indeed have it several ways."

1700

Tell us about the calamity, and it is nothing short of that, that you need, for instance, \$80,000 as a family income to obtain a mortgage. The member can be on his feet and tell the members of the House that this situation should have never been allowed to happen, and that if it has, it should be immediately corrected; and on the other hand, take advantage of what is indeed a callous market.

Needless to say, most members of the New Democratic Party, because we have strong representation from the north, can relate better than the previous speaker, or speakers, regarding the housing market, for we have no interest in the southern Ontario market.

The Acting Speaker: Does any other member wish to comment on the remarks made by the

member for Markham? If not, the member for Markham, two minutes in reply.

Mr. Cousens: The honourable member for Lake Nipigon has touched upon a very great concern to all of us, and that is that the demand far exceeds the supply. It seems that some people are able to buy and invest and grab up these landholdings, and yet we are not seeing the development of new land and opening up new opportunities for people.

It has to do with long-term planning. I think the member for Lake Nipigon should know that a number of years ago, back in the 1970s, the Ontario Progressive Conservative Party, then the government, made the investment into the York-Durham sewer pipe and that it was that pipe that allowed the expansion and the growth north of Metropolitan Toronto, and opened up large amounts of land for growth and development.

We are not seeing that same kind of long-term investment towards the establishing of land and banks of land so that people can use it. We are not seeing innovative policies that will allow us to use government-owned lands for people who want to buy their own homes. If we had some way, instead of the government becoming a speculator and taking part and having the highest sale price given for land, which was the case out in Scarborough last year, \$4,000 a square foot—this government helped fuel the price of property and speculators by taking that money and selling land that could have been used for affordable housing.

You are not seeing leaders in this government; you are seeing people who are almost taking advantage of the situation. They certainly did in that land deal last year.

You are talking about planning. Planning has to become a priority. It is something that is missing right now, and I regret that this government really does not seem to have cottoned on to the fact that it is an urgent crisis that is brewing here on how we are going to deal with growth and continue to have people come into Metropolitan Toronto and be able to afford to live in a style to which they are accustomed.

The Acting Speaker: Would any other honourable member wish to participate in the debate?

Mr. Pouliot: I wish to, of course, just take a few minutes. I was not going to address the House today, but I see that the Treasurer is paying us the compliment of his presence. I have also been provoked by virtue of the many missed opportunities by the Treasurer, but perhaps more important, there were the timely words of

wisdom cited by my close friend the member for Nickel Belt (Mr. Laughren) regarding the injustice that became, eventually, the benefit of Inco. I, too, have searched long and hard asking myself why a person who has, or had anyway, the admiration of all members and the unanimous trust of members of the government could be conned.

Let's face facts. The mining industry is presently experiencing record profits. The price of nickel on the futures market went from \$3 to \$10 in a period of less than 18 months. The policy of flow-through shares has benefited the mining industry at a time when there was no need for that supplementary incentive. A tax break to the tune of 10 per cent a couple of years ago has made the mining sector very wealthy, very rich indeed. In all honesty, it has given it a chance to look to the future with confidence and engage in some long-awaited expansion.

The minister saw fit to allow an additional \$2.81 million as a gift to Inco when we have people, in 1988, in what is perhaps the richest jurisdiction on the face of the earth experiencing Third World conditions; no less than that.

I represent what is the largest riding, an area of 114,000 square miles, and I find it simply shocking and appalling that this government would allow Inco to get richer while some people in northern Ontario are indeed getting poorer. To generate that \$2.81 million the Treasurer imposed an ill-timed one per cent additional provincial sales tax as a burden to pay for the plans of the very rich.

Figures are the test that we have a fundamental problem in our society. We have one per cent of acquirers with no less than 34 per cent of the wealth; 34 per cent of all the wealth is in the hands of one per cent of the population. That one per cent of acquirers are using intellectuals like the Treasurer for the purpose of concentration, while labourers like my good friend the member for Nickel Belt are being squeezed. The warriors in some parts of the riding of Lake Nipigon are getting rather upset.

The Treasurer has had a chance to redress this. We are at the point where if the middle class—the poor, forget it; the Treasurer has socked it to them so much they are trying to stay alive, those survivors. The rich are getting richer; the middle class is being squeezed.

First and foremost, the Treasurer has to realize that he is given the responsibility to instil fair play and he is not doing that. The people in the riding of Lake Nipigon, almost to the individual, feel that if they pay any more taxes they are going

to go up the proverbial wall. This guy here does not understand, refuses to acquiesce, that although it is "the law," the system is unfair. For every dollar he takes out of our pocket, it is one less dollar we can spend and expand our economy. He fails to realize that.

I, for one, in 1986 or 1987, being so candid, really believed and said, "They have a sense of vision." They are now telling us that the north is eternal, that together we will begin—do not get me wrong; in the proper context—to colonize. We will finally be able to join the mainstream of economic Ontario. But not so fast. As for the planning, although we must say that there are some signs, they still do not know where they are going. We are allowed to prosper again, by virtue or for reasons of new discoveries in the gold fields, or by cutting more trees, depleting our resources with very little, or in some cases no regeneration. So we will not be allowed to do so.

1710

We are not farming our resources, our trees, our forests to ship them down south for the manufacturing endeavour or process, là où les manufactures, Monsieur le Président, sont plus présentes, ou sont présentes plus souvent que dans les secteurs du Nord. C'est lui, le Trésorier (M. R. F. Nixon), qui est le coupable. C'est lui qui possède plus que qui que soit, peut-être plus que le Premier Ministre (M. Peterson), le pouvoir de prendre des décisions pour améliorer la situation dans une partie territoriale qui forme 90 pour cent de la province de l'Ontario.

Vous vous souviendrez, bien sûr, Monsieur le Président, qu'on a qualifié les travailleurs du Nord, depuis des décennies, de porteurs d'eau. C'est donc dire que les gens qui occupent les neuf dixièmes du territoire de la province de l'Ontario avaient le destin suivant, comme je l'ai dit tout à l'heure en anglais: celui de nourrir les industries du Sud de la province, où la forte concentration de population existe et où le bien existe aussi, aux dépens des gens qui, chez nous, se sont sacrifiés. J'ai souvent dit, et je le répète, que chez nous, chez nos autochtones, chez ceux qui sont les plus démunis, les moins fortunés qui doivent quotidiennement vivre une existence qui ressemble à celle des gens du Tiers-Monde, une situation pareille chez eux, chez nous, vis-à-vis d'une situation si riche dans le Sud de l'Ontario, est absolument impensable, absolument inacceptable.

Est-ce qu'on s'est demandé, en conscience, pourquoi quelqu'un qui est censé être sensibilisé, qui est censé être civilisé, admettrait que des communautés de 500 personnes ne reçoivent

même pas, et dans certains cas n'aient peut-être reçu qu'une fois ou peut-être jamais, en 1988, la visite d'un médecin? Pourquoi l'espérance de vie chez nos autochtones, avec toute la sincérité que je peux commander, est-elle de douze ans moins élevée que la moyenne d'âge des gens du Sud de l'Ontario? Douze ans, Monsieur le Président: la vie est déjà si courte. Mais qu'est-ce qu'on fait? Quand nous voyons ces gratte-ciel, quand nous voyons ces stades, quand nous regardons ces Taj Mahal, nous, chez ceux qui en ont moins, nous parlons de survivance. C'est mon travail, c'est ce que je fais chaque semaine.

J'arrive, émotionnellement vidé, d'une visite de quatorze réserves qui m'a amené sur les côtes de la baie d'Hudson, et quelle différence: une différence, si lui avait une conscience sociale — je crois quand même qu'il en a peut-être un peu — mais si lui pouvait puiser à l'intérieur et dire: « Avec un budget de 38,5 milliards de dollars, je peux, avec une simple signature, avec un peu de vision, toucher directement, maintenant, pour le futur, pour toujours, éternellement, la vie de ceux qui en ont moins ».

J'aurai l'occasion, dans les mois à venir, d'apporter à l'attention de la Chambre une étude particulière, méticuleuse, ainsi que des recommandations positives, permettant au gouvernement, enfin, de se pencher sur des problèmes économiques; mais surtout, et plus important encore en terminant, d'apporter à ces problèmes une dimension humaine, car c'est là le problème. Le problème, c'est le voisin; le problème, c'est l'individu; le problème, c'est soi-même.

On a besoin de quelques dollars — d'accord, de plusieurs dollars, Monsieur le Président — mais on a surtout besoin d'un gouvernement qui soit généreux envers le Sud aussi bien que le Nord, envers le Blanc aussi bien que l'autochtone. C'est ça, la philosophie politique; c'est ça, la responsabilité d'un trésorier; c'est ça, un gouvernement qui va de l'avant: non pas celui qui est en arrière ou en avant, mais celui qui est avec les gens.

On juge une civilisation et un gouvernement d'après la sincérité qu'ils apportent aux plus démunis, non pas à ceux qui en ont plus mais à ceux qui en ont moins. Les moins fortunés, ce sont eux qu'il faut aider: les régions qui ont de plus en plus besoin de se joindre à tous les Ontariens dans un âge d'or. Je vous remercie.

Le Vice-Président: Questions et commentaires sur le discours du député de Lac Nipigon? Monsieur le Trésorier?

Hon. R. F. Nixon: I regret that I cannot respond in français, so I will not try. But I do

want to say something about a matter that has twice been raised, and that is the project at the nickel company that was a grant from the Ministry of Industry, Trade and Technology. This came from the Premier's technology fund, as the members who have raised this are aware, and it was in support of a new system of backfill operations in the mines, which everybody knows is extremely important, not just for Inco but for all mining operations.

I think that the honourable members, particularly those coming from mining communities, would see that this is not some sort of subsidy to Inco but is in fact support for the mining industry in a way that I believe is extremely valuable and would be recognized by any sort of impartial observer.

The Deputy Speaker: Other questions and comments?

Mr. Laughren: I must commend my colleague and good friend from Lake Nipigon (Mr. Pouliot) for his remarks. I sometimes wonder how he has time to do the kind of preparation he does for his speeches in this chamber in view of the size of his riding, which is very, very large.

I did want to reinforce what the member for Lake Nipigon said about the money to Inco, that that \$2.81 million went directly to Inco. It did not go to a mining contractor; it did not go to the Ontario Mining Association. It went directly to Inco to do something it has to do anyway, so stop being such an apologist for the mining industry.

The Deputy Speaker: Other questions and comments? If not, est-ce que le député de Lac Nipigon voudrait répondre?

Mr. Pouliot: With the highest of respect, of course, I did have the opportunity, over a period approaching 20 years, to experience at first hand, on a shift basis, backfill operations. They are, indeed, a normal part of every underground mining operation, be it base metals or chasing the proverbial vein in the goldfield.

1720

I know the Treasurer would wish to share with me, though not for edification, the fascinating and exciting world of backfilling operations in Ontario's base metal industry. I am sure he has had the opportunity several times at different levels to take the shaft and go down the corridor. The Treasurer likes to use the terminology, "Took the elevator down to the corridor." I can assure members that backfilling operations are indeed a normal, daily part of the operation.

Hon. R. F. Nixon: This is special.

Mr. Pouliot: Right, and \$2.81 million will be added to the shareholders' pockets. It is nothing more, nothing short of that. It is a gift to the companies at the expense of the taxpayers of Ontario.

Mr. Pope: As the newly appointed Treasury critic for the Progressive Conservative Party, I am pleased to rise to participate briefly in this debate. I do not know what I did to deserve that, but I presume the Treasurer will deal with that matter when he stands up in reply.

I did, however, want to participate in this interim supply debate and make a few comments on behalf of our party, as Treasury critic, and to participate with the Treasurer in some discussion with the people of Ontario with respect to the spending habits of this Liberal government of ours, which in last year's budget took \$1.2 billion additional out of the pockets of the people of Ontario and therefore will be accountable to the people of Ontario for how it is now spending that money.

Mr. Fleet: It is well spent, though.

Mr. Pope: The presumption that the Treasurer and other of his friends, such as the member for High Park-Swansea (Mr. Fleet), would offer to the people of Ontario is that it is being well spent. We dealt with that issue as well in the debate on the budget. I would refer the Treasurer to, and he will no doubt have already reviewed, the speech I made on May 4 of this year with respect to the extraordinary spending habits of Liberals when they are in government and how this Ontario Liberal government is no different from other Liberal governments in other jurisdictions.

On that May 4 we specifically analysed, for the purpose of information to the people of Ontario, something called main office expenses, ministry administration expenses and the increase thereof over the three years the Liberals had been in office in Ontario. I think it is good, at the time when we are debating interim supply and an implied consent to continue with these kinds of spending habits that the working women and men of Ontario are paying for, to review very briefly the nature of the spending habits of the Liberal cabinet ministers and the head office administration here in Queen's Park in the great city of Toronto versus what they are doing within the ministries, and specifically the delivery of services within the ministries, under the guidance of the Chairman of the Management Board of Cabinet (Mr. Elston).

We have heard in two straight budgets the term "in-year constraints" and voluntary cutbacks in expenditures. I am sure that what I am about to

say is no different from what the Treasurer and the Chairman of Management Board have said to their cabinet colleagues in the secrecy of the cabinet room: "Please explain to us, fellow cabinet ministers of Ontario, who are spending so much of the taxpayers' money, why you find it necessary to have such significant increases in your main office and ministry administrative expenses at the same time that you find it necessary to cut back on services in the field to the people of Ontario."

Let's go back and review some of these issues. As we said on May 4, Colleges and Universities main office administrative expenses in 1985-86 were \$3,062,000; main office administrative expenses this year are estimated at \$5,912,000, a \$2,800,000 increase, or an increase of over 90 per cent in ministry administrative expenses for the Ministry of Colleges and Universities. That is 90 per cent in three years since the Liberals came to power: a 90 per cent increase in ministry administrative expenses, a \$2.8 increase.

At a time when we have heard over May, June and the summer months complaints about the inadequacy of the funding of this government to our colleges and universities across this province and the consequences for the future of the young people of this province, at a time when those complaints have been coming forth in unheard of numbers, we have the minister allowing a 90 per cent increase over three years in the administrative expenses of her ministry. We have not seen that kind of increase or additional commitment for the colleges and universities of this province.

I know that if the minister were present she would want to join with the Treasurer in explaining that, because we have not had an explanation to date. Part of the responsibility of a minister is not only to explain her financial commitment to the field services, the institutions and interests she has an obligation to represent and serve as our Minister of Colleges and Universities (Mrs. McLeod), but also to explain in detail the reasons for these kinds of staggering administrative expenses.

I repeat, to give the Treasurer his due, from what I understand has been happening, the same things I am saying today publicly have been said by the Treasurer and the Chairman of Management Board to cabinet itself. There has been a warning issued, but it does not listen.

The Ministry of Education: I am going to talk a bit about the Minister of Education (Mr. Ward) and this fiasco over Bill 125 a little later. But at a time when the Liberal commitment for 60 per cent provincial funding for our boards of

education across the province has been hanging there for three years and has not been met—in fact, the provincial commitment has deteriorated in terms of total board of education expenditures across the province—we have the Ministry of Education in one year alone with a 40 per cent increase in ministry administrative expenses; in one year, a 40 per cent increase in the administrative costs of the Ministry of Education, at a time when most school boards and boards of education believe they are falling further behind in terms of total provincial contribution to our education system, again to the detriment of young boys and girls, our students across the province.

What about the Ministry of Health? All members in their own ridings have been receiving complaints about underfunding of hospitals, of deficits growing in hospitals. We have seen the Minister of Health (Mrs. Caplan) attempting to lay it to the administrators and the volunteers who serve on the administrative boards of these hospitals. We have seen her try to lay it to them, blame them for the problems, make them second-guess their public commitment to improved health care for everyone in Ontario. While that battle has been going on, the Ministry of Health and ministry administrative expenses have gone up from \$88,227,000 to \$120,462,000, an increase of \$32,235,000. At the very time when all of us in our own ridings have heard about cutbacks in services with dramatic impact in our ability, the ability of our hospitals, to treat people in need of emergency care, to treat people in need of basic hospital care, at the same time we have had these cutbacks, we have seen the Minister of Health enjoying the luxury of a \$32,235,000 increase in administrative expenses.

1730

Mr. Harris: Have they been cutting Timmins hospital at the same time?

Mr. Pope: Timmins hospital, St. Mary's General Hospital, with a deficit that has been a continuing problem, no different from the Cambridge hospital, and we have seen that shambles unfold with the Minister of Health disciplining the hospital administrator, who is trying to do a job at the behest of the board of directors, volunteers, administering that public hospital for the benefit of the people of Cambridge, and the story goes on and on. In Ottawa, in Kingston, in North Bay, in Sudbury, in London; it goes on and on and on.

Mr. Campbell: Sudbury's okay; we're taken care of.

Mr. Pope: The delays in the cancer treatment centre construction that the Liberals allowed to go on for two years without meeting the commitments that are out there—

Mr. Campbell: That's more than your government did. You talked about it for five years.

Mr. Pope: The member for Sudbury, I know, is wont to apologize on a regular basis for the inaction of his government in providing that desperately needed service.

Then we deal with the Minister of Housing (Ms. Hošek). We have all heard in this great city of Toronto and in many other major urban centres across this province of the crisis in the provision of affordable housing to meet the basic needs of families and of young people across the province. We have seen this Minister of Housing falling farther and farther behind in the targets that she herself has set and which her predecessor set for this Liberal administration, and while we have seen a deterioration in the availability of affordable housing and the potential for increased affordable housing across the province, the Ministry of Housing administrative expenses were going from \$15,814,000 to \$21,372,000, an increase of \$5,558,000.

Mr. Harris: I can't believe it; 35 per cent in one year.

Mr. Pope: A 35 per cent increase at a time in which surely everyone understands that affordable housing has become a crisis for the people of Ontario, and particularly a tragic crisis for the people of the city of Toronto and of the greater Metropolitan Toronto area.

The Ministry of Natural Resources, otherwise known as a surrogate to the Minister of the Environment (Mr. Bradley), at a time when everyone now knows that we have an absolute cutback in reforestation dollars; when forest management agreement holders have been notified that the dollars they previously had for road access, for reforestation, for planting purposes are not going to be available this year; when they are falling short of the targets that they themselves set out in forest management agreements; when we see the tree nursery operators, private operators in small communities across the province providing jobs for local residents, being told they are going to be facing cutbacks, and that could mean being driven out of business through policy decisions that this government has been making; at a time when a province-wide consensus with respect to multiple use of land and the wise use of resources is being destroyed by decree, without consultation, by the Minister of the Environment, with the Minister of Natural

Resources (Mr. Kerrio) holding hands every step of the way; at a time when we see beginning in this government an effort to establish the Madawaska trust, which my good friend and colleague the member for Hastings-Peterborough (Mr. Pollock) has spoken on so well in this House; at a time when that is part of the agenda of this government, which will take away so much of the economic potential of that part of Ontario from the local residents and hand it to those from other parts of the province who want to preserve it for their canoes; at that time, what have we seen from the Ministry of Natural Resources? Ministry administrative expenses are going up from \$60,560,000 to \$75,517,000.

Imagine what we could do for the reforestation program of this province if that extra \$15 million the Minister of Natural Resources is currently enjoying for ministry administrative purposes was put directly into contracts for the growth and planting of seedlings to reforest our forests, if this government would use that money to match its commitments and the commitments that have been outstanding for many years with respect to our reforestation program in Ontario that will match our needs.

The Ministry of Northern Development and Mines is a rather interesting ministry that has gone through many nuances, adjustments and changes. I presume the Minister of Mines (Mr. Conway) during the next week will be announcing what programs he and the Treasurer have come up with to support the initiatives of the flow-through share alternative of the federal government. I know he will shortly announce how they are going to do the same thing the Quebec government is doing now to support that program and benefit the mining community of northern Ontario.

I am sure that same minister, who has not announced it yet but may get around to it soon if he sets his mind to it, will be interested in these numbers. He probably will explain, as a matter of fact, the 300 per cent increase in the ministry administrative expenses of the Ministry of Northern Development and Mines since the Liberals came to power: from \$3 million to over \$14 million. I know he is going to explain that, because we are talking about administrative operating expenses.

Mr. Campbell: The ministry created jobs in northern Ontario. That's what it's all about.

Mr. Pope: If the member for Sudbury knew anything about government, he would know we are talking about ministry administrative expenses. We are not talking about capital expendi-

tures; we are talking about ministry administrative expenses. I know when he looks at the numbers and finally comes to understand the numbers, he will understand we are talking about a 300 per cent increase. This is during the year and a half when the Treasurer's \$30-million heritage fund has seen not one dime flow to the people of northern Ontario; not one cent of the \$30 million over two years—\$60 million—at a time in which the ministry administrative expenses have increased from \$3 million to over \$14 million in that ministry.

I know the Treasurer is going to give us an accounting of the priorities of that ministry and of this government which let that kind of increase carry forward in ministry administrative expenses but not in the northern Ontario heritage fund, which benefits directly the people of northern Ontario.

The Ministry of Skills Development: At a time in which there is growing concern about the cutback in skills development services offered to people across Ontario, at a time when there is concern that the Ottawa Ministry of Skills Development office, which is supposed to help young people get a new start, get retrained, get upgraded so they can get better-paying jobs and have more job security, at a time when that office is abysmally failing in its obligations and responsibilities to the people of Ontario, I know the Treasurer and the Minister of Skills Development (Mr. Curling) will explain a 220 per cent increase in ministry administrative expenses; at a time when we have got a deterioration in the services being offered by that particular ministry in the field and in particular in Ottawa—from my own firsthand experience—to the young people when they go to seek help from that office.

Why is there a deterioration in services to these people who desperately need it at a time when the minister is increasing administrative expenses here in Toronto by 220 per cent? I know the Treasurer and the minister are going to start doing some explaining and start answering to the people of Ontario for this.

1740

The list goes on. The Ministry of the Solicitor General is presently embarked—my colleagues the member for Nipissing (Mr. Harris) and the member for Hastings-Peterborough will confirm this—on a reduction of services to the people of this province from our Ontario Provincial Police. At a time when that reduction is being put in place, when offices are being closed, when manpower and staffing is being reduced in offices like Matheson, Iroquois Falls, Cochrane,

Kapuskasing, Hastings-Peterborough and the Nipissing district, the Ministry of the Solicitor General had over a 90 per cent increase in its ministry administrative budget.

Maybe the Solicitor General (Mrs. Smith) can switch her guns from Sunday working to explaining why she is reducing the police protection offered to the people of this province at a time when she has increased her ministry administrative expenses so dramatically; a 90 per cent increase.

The list goes on and on. Services to people reduced, as the answer to the Treasurer and the Chairman of Management Board, as opposed to discipline over the administrative costs of the ministries of this government. If the Treasurer needs some help in getting that message through to the ministers, then we are here to help him.

At a time when the Minister of Housing (Ms. Hošek) is cutting back on housing for the people of this city, she has had a staggering increase in the money she is spending on administering even less for the people of Ontario. This government now must start to answer for these kinds of staggering increases in ministry administrative expenses dovetailed with its sad performance, in community after community, in providing basic government services to the people of Ontario.

I want to deal briefly with a number of other issues, such as Bill 125 and the absolute shambles the Minister of Education has made of the election processes that are going on right now for trustees in various regions across this province. Having created the problem, they refuse to give directions to the clerks of these municipalities as to how many French-language trustees and how many English-language trustees are to be elected. Are we going to go under the new rules of this new legislation—i.e., are the ministry and the government therefore going to appeal this ruling—or are we going under the old rules? In other words, are the government and the ministry not going to appeal?

It is a very clear signal. If we are going under the old rules, it is obvious that there is no appeal forthcoming. If we are going under the new rules, it is obvious that they are joining with some of the trustees' associations to appeal the interim order of Mr. Justice Sirois. We have had nothing, no direction from this government, no direction from this Ministry of Education. The sad part is they have known about this court challenge for weeks, they have had a chance to prepare all of their alternatives, in any event of the decision by the Supreme Court, and have done nothing.

We had nominations close in our municipality last night. How many French-language trustees are we going to be electing for our Timmins District Roman Catholic Separate School Board? How many English-language trustees? If the rules are going to change in terms of the number of trustees, do the electors have an opportunity, at the same time that they decide whether they are running for one panel or another, to revise the enumerated lists and put themselves down as one elector versus another?

As the government is aware, under the new legislation and under the regulations and guidelines proclaimed under that legislation, those parents who have a student in full-time attendance at a French-language school qualify to designate themselves, if they wish, as French-language electors. People put themselves on the enumeration list based on that fact and based on the fact that they would have a say in the election of a certain number of French-language trustees.

What are the guidelines? What does the clerk announce to the news media this morning in Timmins, other than that he has received no direction or guidance?

Mr. Campbell: Elections as usual.

Mr. Pope: "Elections as usual," the member for Sudbury says. It figures that would be his response.

How many French-language trustees are we voting for? How many English-language trustees are we voting for? Are you going to extend nominations if there are vacancies because of the change?

Mr. Campbell: You do not have to.

Mr. Pope: "You do not have to." How would you know? Do you know everything about what is going on in Timmins? How many candidates are there for the French-language trustee?

Mr. Campbell: You were talking about Sudbury. You were not talking about Timmins.

Mr. Pope: I was talking about Timmins. How many French-language trustees are to be elected in Timmins? Since the member for Sudbury thinks he knows everything about it, how many?

Interjection.

Mr. Pope: The deputy House leader asks what Mr. Justice Sirois says. I am surprised that the deputy House leader does not know anything about it. He has not read the decision. That is unfortunate.

Mr. Reyecraft: Have you read the decision? You have not read it.

The Deputy Speaker: Order, please.

Mr. Pope: That is unfortunate. If you would read the endorsement on the decision, you might know what was going on. It is a shame that the Liberals do not know what is happening in their own Supreme Court.

Mr. Reyecraft: You have not read the decision.

The Deputy Speaker: Order, please. One speaker at a time, please.

Mr. Pope: I presume that at some point in time before election day someone over there is going to give some guidance and help to the school boards of this province, the boards of education and the municipal clerks.

An hon. member: You can count on it.

Mr. Pope: We can count on it? We should have counted on this government not to bring forward this legislation at the last minute in May and June when it was warned by every trustee organization, every educational organization, the clerks and treasurers of Ontario, the clerks directly and the government's political advisers not to leave it so long. But, no, it was not going to listen to anybody. It is going to proceed on its own. It is going to ignore all the advice. The government brought it in in May and June. It knew that there was going to be a court challenge. It let it happen at the last minute and then when the decision comes down it does nothing. It abdicated its responsibility.

The government had representatives in court yesterday who wrote down what Mr. Justice Sirois said. The Attorney General (Mr. Scott) has had a report on that decision, as has the Minister of Education. It has had two days now, while everything is in an uproar in community after community across northern and eastern Ontario, and it has done nothing to resolve the uncertainty and straighten out this mess that it alone is responsible for because it would not listen to advice of the opposition members and the educational system last year.

In my part of the province, as well, a clear and important signal is being sent to the people by this government. It is not just their Premier's comment that the north would do well to be a little more like southern Ontario, but it is in the whole attitude engendered toward the people of the north, their economic expectations vis-à-vis the use of the resources and the role that they can play in resource allocation and decision-making of this government in the allocation of resources.

In 1982 and 1983 we had 168 open houses in small and large communities across this province where northerners, easterners, urban and rural

dwellers had their say on land use and resource allocation policies. They were able to look at maps. They were able to see the projected needs of our forest products industries. They were able to look at the estimates of available timber. They were able to look at maps that showed mineral potential through aeromagnetic surveys and other detailed survey work.

They were able to look at the allocation of trap lines between native and non-native bands from one end of this great province to the other. They were able to look at the allocation of sites for potential tourist development. They were able to look at allocation issues that would affect the potential growth of existing tourist operators. They were able to look at restocking programs and programs that would attract tourists to municipalities and communities, big and small, across this province. They were able to look at the policies that the government had used and would use in the future with respect to new parks across the province and 10,000 people came out and participated in those processes, in those open houses, and 10,000 submissions in writing were made to the government of Ontario. They are all on file.

1750

The Minister of Natural Resources has them. In fact, the Minister of Natural Resources, also with respect to Temagami, had my own personal briefing book that I had at the time as Minister of Natural Resources, with all of the ministry estimates and studies that were available to me at the time.

Then we had seven regional forums where over 5,000 people came out and argued with one another, debated the issues and they did not have the same interests or expectations. There was give and take and there were disagreements, often emotional disagreements, about the different perceptions that exist in this province about decisions the government may make that would affect their lives, either socially, environmentally or from a recreational point of view, or for northerners from a gut economic livelihood survivorship benefit point of view.

There were various points of view put forward and debated. After that, there was a two-day meeting at the Guild Inn with all of the organized interest groups that we could think of being represented. For two days, they pored over these comments, looked at the maps and the studies. Out of that, I believe there was a consensus and the reaction of these groups when the new parks were announced in 1983 gives effect to the statement I am making that I believe there was a

consensus or that people could live with the result, although it was not everything they wanted or exactly what they would have preferred. But they felt there was a process there that had been good, that allowed them to understand other points of view and to put their own point of view forward.

The result of that: new parks were created; boundaries were established. The use of resources within the parks and in the buffer areas around the parks were established clearly and understood.

What did we see over the past year from this government with respect to the Temagami area? We have seen unilateral decision-making, no public forum. We have seen interest groups attempting to get in to see the minister to privately present their cases and we have seen an unorganized attempt by this government to try to go back and reinvent the decisions and the information that was available at the time the initial decision was made.

I say to this government, it was clear at the time. It was very clear at the time that the timber to the south of the southern boundary of the Lady Evelyn-Smoothwater Provincial Park was required and would be required in the future for the Milne plant in the Temagami area. There was a clear understanding that the road would have to continue through the park to that southern area. A decision was made in 1983 after all of the consultation took place that particular industry would have to have access, eventually, to that timber.

There was a clear decision and clear realization that the Lady Evelyn-Smoothwater area had the largest, undeveloped geological potential in Ontario, that its geological formations were on a par with the Hemlo gold field, that they offered a dramatic potential for exploration and development of new mines in northeastern Ontario and therefore that potential, for the benefit of the people of northeastern Ontario, ought to be preserved. There should not be wide-open staking with the cutting of claim lines, the clearing of top soil, the burying of outcrop but it should be done on a very controlled basis to allow for the lifting by helicopter of drills into potential sites in that area and lifting them out again, not allowing the scraping away of the overburden to expose the rock formations, but relying on aeromagnetic surveys and relying on the drill results.

There was a realization that because of other environmental and recreational values the old-time staking and exploration and development

work could not be carried forward, that the area had to be protected. Therefore, it was to be withdrawn from staking and subject to licence of exploration, with certain environmental conditions being attached to the exploration activity that might go on there, so that if the economic potential was not realized if the development of new mines was not economically viable, then the damage to the other values that resided in that candidate park area could be protected to the greatest degree possible.

What have we seen as a result of the Liberals' decisions in their cabinet? We have seen an overturning of the multiple-use policies and theories that were widely accepted across this province, in all regions of this province in 1983, with nothing near the kind of public consultation program in place that we all embarked on in 1982 and 1983.

Many members of the Liberal party went to the open houses, sought information from me, were given information by the Ministry of Natural Resources at the time, understood what was happening, and in general terms thought it was a productive process and exercise.

In fact, the northern development councils, in some degree, are an offshoot of that process where this government has taken the opinions of local people with respect to economic development ideas and has harnessed their initiatives and their ideas for the benefit of new government programs which will help the people of northern Ontario, and that has to be put on the record too, because it was a good initiative.

But to unilaterally overturn what I believe to be a province-wide consensus sent a terrible signal to those who had participated in good faith in a give and take sense in that kind of a process. They felt that at any future date, the kinds of things that they were prepared to compromise on would be ignored, that it would rolled back, that some future government would ignore what they had said and would ride with one interest or the other.

The member for Hastings-Peterborough could speak to this more than I could, but that is the reason why we have had groups of fishing and hunting clubs, tourist operators, chambers of commerce and municipal representatives that have been meeting over the summer in dismay at the reversal of the parks policy, in dismay about what is happening in Temagami, and saying this Minister of Natural Resources has lost his hold on this issue, he is no longer able to carry the can

for all of us in the cabinet of this province, and every time he stands up, the Minister of the Environment is taking over.

That is why group after group is indicating to the Minister of Natural Resources and to the Premier (Mr. Peterson) that they do not have confidence in the ability of this government to listen to them and to fairly allocate resources among all interests for the benefit of local economic issues and for the benefit of provincial environmental concerns.

When that confidence is gone, no allocation process is going to be acceptable, nothing they decide will be accepted at face value and the credibility of this government in its ability to allocate and manage resources has likewise been undermined.

I would hope that the Treasurer, through his good offices, and the Chairman of Management Board, who understands these issues, will be able to speak in cabinet, as other cabinet colleagues have, to address the widespread concern in northern Ontario about the consequences of the way Temagami has been dealt with and the consequences of the reversal of the parks policy.

This government has, in the allocation of new government offices, the moving of additional government personnel to centres in northern Ontario, made an important step forward. I have said that every time I have been asked, and I have said that in commenting on general development policies in northern Ontario.

But it is not just the location of government facilities and offices alone. There must be the stimulation of new investment, of new dollars, of new industries, of new people in northern Ontario.

The BILD program may have been inadequate, but at least it started to provide some support for the private sector expanding its role in northern Ontario, and we believe it was a model for an expansion in growth in eastern Ontario as well.

We would wish that the government, while congratulating itself on the new offices and new ministry and government personnel in northern Ontario, would also spend time in developing these new potential opportunities for the private sector.

On motion by Mr. Pope, the debate was adjourned.

The House adjourned at 6:01 p.m.

ALPHABETICAL LIST OF MEMBERS*

(130 seats)

First Session, 34th Parliament

Lieutenant Governor: Hon. Lincoln M. Alexander, PC, QC

- Adams, Peter (Peterborough L)
 Allen, Richard (Hamilton West NDP)
 Ballinger, William G. (Durham-York L)
 Beer, Charles (York North L)
 Black, Kenneth H. (Muskoka-Georgian Bay L)
 Bossy, Maurice L. (Chatham-Kent L)
Bradley, Hon. James J., Minister of the Environment (St. Catharines L)
 Brandt, Andrew S. (Sarnia PC)
 Breaugh, Michael J. (Oshawa NDP)
 Brown, Michael A. (Algoma-Manitoulin L)
 Bryden, Marion (Beaches-Woodbine NDP)
 Callahan, Robert V. (Brampton South L)
 Campbell, Sterling (Sudbury L)
Caplan, Hon. Elinor, Minister of Health (Oriole L)
 Carrothers, Douglas A. (Oakville South L)
 Charlton, Brian A. (Hamilton Mountain NDP)
 Chiarelli, Robert (Ottawa West L)
 Cleary, John C. (Cornwall L)
 Collins, Shirley (Wentworth East L)
Conway, Hon. Sean G., Minister of Mines (Renfrew North L)
 Cooke, David R. (Kitchener L)
 Cooke, David S. (Windsor-Riverside NDP)
 Cordiano, Joseph (Lawrence L)
 Cousens, W. Donald (Markham PC)
 Cunningham, Dianne E. (London North PC)
 Cureatz, Sam L. (Durham East PC)
Curling, Hon. Alvin, Minister of Skills Development (Scarborough North L)
 Daigeler, Hans (Nepean L)
 Dietsch, Michael M. (St. Catharines-Brock L)
Eakins, Hon. John F., Minister of Municipal Affairs (Victoria-Haliburton L)
Edighoffer, Hon. Hugh A., Speaker (Perth L)
 Elliot, R. Walter (Halton North L)
Elston, Hon. Murray J., Chairman of the Management Board of Cabinet (Bruce L)
 Epp, Herbert A. (Waterloo North L)
 Eves, Ernie L. (Parry Sound PC)
 Farnan, Michael (Cambridge NDP)
 Faubert, Frank (Scarborough-Ellesmere L)
 Fawcett, Joan M. (Northumberland L)
 Ferraro, Rick E. (Guelph L)
 Fleet, David (High Park-Swansea L)
Fontaine, Hon. René, Minister of Northern Development (Cochrane North L)
Fulton, Hon. Ed, Minister of Transportation (Scarborough East L)
 Furlong, Allan W. (Durham Centre L)
Grandmaître, Hon. Bernard C., Minister of Revenue (Ottawa East L)
 Grier, Ruth A. (Etobicoke-Lakeshore NDP)
 Haggerty, Ray (Niagara South L)
 Hampton, Howard (Rainy River NDP)
 Harris, Michael D. (Nipissing PC)
 Hart, Christine E. (York East L)
 Henderson, D. James (Etobicoke-Humber L)
Hošek, Hon. Chaviva, Minister of Housing (Oakwood L)
 Jackson, Cameron (Burlington South PC)
 Johnson, Jack (Wellington PC)
 Johnston, Richard F. (Scarborough West NDP)
 Kanter, Ron (St. Andrew-St. Patrick L)
Kerrio, Hon. Vincent G., Minister of Natural Resources (Niagara Falls L)
 Keyes, Kenneth A. (Kingston and The Islands L)
 Kozyra, Taras B. (Port Arthur L)
Kwinter, Hon. Monte, Minister of Industry, Trade and Technology (Wilson Heights L)
 Laughren, Floyd (Nickel Belt NDP)
 LeBourdais, Linda (Etobicoke West L)
 Leone, Laureano (Downsview L)
 Lipsett, Ron (Grey L)
 Lupusella, Tony (Dovercourt L)
 MacDonald, Keith (Prince Edward-Lennox L)
 Mackenzie, Bob (Hamilton East NDP)
 Mahoney, Steven W. (Mississauga West L)
Mancini, Hon. Remo, Minister without Portfolio (Essex South L)
 Marland, Margaret (Mississauga South PC)
 Martel, Shelley (Sudbury East NDP)
 Matrundola, Gino (Willowdale L)
 McCague, George R. (Simcoe West PC)
 McClelland, Carman (Brampton North L)
 McGuigan, James F. (Essex-Kent L)
 McGuinty, Dalton J. (Ottawa South L)
 McLean, Allan K. (Simcoe East PC)
McLeod, Hon. Lyn, Minister of Colleges and Universities (Fort William L)
 Miclash, Frank (Kenora L)
 Miller, Gordon I. (Norfolk L)

- Morin, Gilles E. (Carleton East L)
 Morin-Strom, Karl E. (Sault Ste. Marie NDP)
 Neumann, David E. (Brantford L)
 Nicholas, Cindy (Scarborough Centre L)
 Nixon, J. Bradford (York Mills L)
Nixon, Hon. Robert F., Deputy Premier,
 Treasurer of Ontario and Minister of Econom-
 ics and Minister of Financial Institutions
 (Brant-Haldimand L)
Oddie Munro, Hon. Lily, Minister of Culture
 and Communications (Hamilton Centre L)
 Offer, Steven (Mississauga North L)
O'Neil, Hon. Hugh P., Minister of Tourism and
 Recreation (Quinte L)
 O'Neill, Yvonne (Ottawa-Rideau L)
 Owen, Bruce (Simcoe Centre L)
Patten, Hon. Richard, Minister of Government
 Services (Ottawa Centre L)
 Pelissero, Harry E. (Lincoln L)
Peterson, Hon. David R., Premier and Presi-
 dent of the Council and Minister of Inter-
 governmental Affairs (London Centre L)
 Philip, Ed (Etobicoke-Rexdale NDP)
Phillips, Hon. Gerry, Minister of Citizenship
 (Scarborough-Agincourt L)
 Poirier, Jean, Deputy Speaker and Chairman of
 the Committees of the Whole House (Prescott
 and Russell L)
 Pollock, Jim (Hastings-Peterborough PC)
 Polsinelli, Claudio (Yorkview L)
 Poole, Dianne (Eglinton L)
 Pope, Alan W. (Cochrane South PC)
 Pouliot, Gilles (Lake Nipigon NDP)
 Rae, Bob (York South NDP)
Ramsay, Hon. David, Minister of Correctional
 Services (Timiskaming L)
 Ray, Michael C. (Windsor-Walkerville L)
 Reville, David (Riverdale NDP)
 Reyecraft, Douglas R. (Middlesex L)
Riddell, Hon. Jack, Minister of Agriculture and
 Food (Huron L)
 Roberts, Marietta L. D., Deputy Chairman of the
 Committees of the Whole House (Elgin L)
 Runciman, Robert W. (Leeds-Grenville PC)
 Ruprecht, Tony (Parkdale L)
Scott, Hon. Ian G., Attorney General
 (St. George-St. David L)
 Smith, David W. (Lambton L)
Smith, Hon. E. Joan, Solicitor General
 (London South L)
 Sola, John (Mississauga East L)
Sorbara, Hon. Gregory S., Minister of Labour
 (York Centre L)
 South, Larry (Frontenac-Addington L)
 Sterling, Norman W. (Carleton PC)
 Stoner, Norah (Durham West L)
 Sullivan, Barbara (Halton Centre L)
Sweeney, Hon. John, Minister of Community
 and Social Services (Kitchener-Wilmot L)
 Tatham, Charlie (Oxford L)
 Velshi, Murad (Don Mills L)
 Villeneuve, Noble (Stormont, Dundas and Glen-
 garry PC)
Ward, Hon. Christopher C., Minister of
 Education (Wentworth North L)
 Wildman, Bud (Algoma NDP)
Wilson, Hon. Mavis, Minister without Portfolio
 (Dufferin-Peel L)
 Wiseman, Douglas J. (Lanark-Renfrew PC)
Wong, Hon. Robert C., Minister of Energy
 (Fort York L)
Wrye, Hon. William, Minister of Consumer and
 Commercial Relations (Windsor-Sandwich L)
 Vacancy: Welland-Thorold

*The alphabetical list of members appears in each issue. Lists of the members of the executive council, parliamentary assistants and members of committees, brought up to date as necessary, are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

CONTENTS

Tuesday, October 18, 1988

Members' statements

Cambridge Memorial Hospital, Mr. Farnan	4953
Drug abuse, Mr. Runciman	4954
World Food Day, Mr. Faubert	4954
Fertilizer plant feasibility study, Mr. Laughren	4954
Ontario Round Table on Environment and Economy, Mrs. Marland	4955
Twinning of North York and Cassino, Mr. Matrundola	4955
Accessible taxi program, Mr. Harris	4955

Statements by the ministry

Educational performance, Hon. Mr. Ward	4956
Accessible taxi program, Hon. Mr. Fulton	4957
Conservation land tax reduction program, Hon. Mr. Kerrio	4957
New Ventures program, Hon. Mr. Kwinter	4958
Safety in sports, Hon. Mr. O'Neil	4958

Responses/Réponses

Safety in sports, Mr. Farnan	4959
Conservation land tax reduction program, Mr. Wildman	4960
Educational performance, Mr. R. F. Johnston	4960
Accessible taxi program, Mr. Allen	4960
New Ventures program, Mr. Morin-Strom	4960
Safety in sports, Mr. McLean	4960
Educational performance, Mr. Villeneuve	4961
Performance scolaire, M. Villeneuve	4961
Accessible taxi program, Mr. Cousens, Mrs. Marland	4961
Conservation land tax reduction program, Mr. Pope	4961
Accessible taxi program, Mr. Harris	4961
New Ventures program, Mr. Harris	4961

Oral questions

Social assistance, Mr. B. Rae, Hon. Mr. Sweeney	4962
Hospital services, Mr. B. Rae, Hon. Mrs. Caplan, Mr. Brandt	4963
Retail store hours, Mr. Brandt, Hon. Mrs. Smith	4966
Herbicide in sewer system, Mr. Morin-Strom, Hon. Mr. Bradley, Mr. B. Rae	4967
Hospital services, Mr. Eves, Hon. Mrs. Caplan	4968
Driving infractions, Mr. Owen, Hon. Mrs. Smith	4969
Indian policing program, Mr. Pouliot, Hon. Mrs. Smith	4970
Affordable housing, Mr. Harris, Hon. Ms. Hošek	4971
Trade with United States, Mr. Carrothers, Hon. Mr. Bradley	4971
Workers' compensation, Miss Martel, Hon. Mr. Sorbara	4972

Petitions

Landfill site, Mr. Adams, tabled	4973
---	------

St. Joseph's General Hospital, Mr. Adams, tabled	4973
Retail store hours, Mr. D. R. Cooke, tabled	4973
Bridge repairs, Mr. Harris, tabled	4973
School opening exercises, Mr. McLean, tabled	4973

First readings

Ariann Developments Inc. Act, Bill Pr66, Mr. J. B. Nixon, agreed to	4973
Peterborough Historical Society Act, Bill Pr53, Mr. Adams, agreed to	4974
288093 Ontario Limited Act, Bill Pr55, Mrs. LeBourdais, agreed to	4974

Government motion/Motions émanant du gouvernement

Interim supply, resolution 15, Hon. R. F. Nixon, Mr. Harris, Mr. Laughren, Mr. Cousens, Mr. Pouliot, Mr. Pope, adjourned	4974
Crédits provisoires, résolution 15, l'hon. R. F. Nixon, M. Harris, M. Laughren, M. Cousens, M. Pouliot, M. Pope, ajournement du débat	4974

Other business

Member's report to constituents, Mr. Harris, Hon. Mr. Conway, Mr. Speaker	4953
Jules Morin, Mr. Sterling, Hon. Mr. Grandmaître, Mr. B. Rae	4955
Jules Morin, M. Sterling, l'hon. M. Grandmaître, M. B. Rae	4955
Adjournment	4998
Alphabetical list of members	4999



No. 90

Hansard

Official Report of Debates

Legislative Assembly of Ontario

First Session, 34th Parliament

Wednesday, October 19, 1988

Speaker: Honourable Hugh A. Edighoffer

Clerk of the House: Claude L. DesRosiers



CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$16.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday, October 19, 1988

The House met at 1:30 p.m.

Prayers.

MEMBERS' STATEMENTS

RETAIL STORE HOURS

Mr. Farnan: Today, I challenge the government to initiate or to support legislation that would require the Legislature to sit on Sundays until such time as this assembly deals with Bill 113 and Bill 114.

Indeed, I am introducing such a private member's bill this afternoon, and I am sure that if the government would support it, the opposition parties would be pleased to co-operate and ensure its speedy passage.

The purpose of this bill is to ensure that MPPs have firsthand experience of working regular Sunday shifts before we decide to pass legislation that would require retail employees to work Sundays.

Before the standing committee on administration of justice this past summer, several delegations expressed support for the Legislative Assembly of Ontario sitting on Sundays. Members of the public have a great deal of cynicism about politicians passing legislation to make them work Sundays while legislators do not have to work.

To make my private member's bill more attractive to the members of the Legislative Assembly, I have included the provision that MPPs may have Tuesdays off in lieu of working on Sundays. I urge the government to demonstrate to retail workers that we will not pass Bill 113 and Bill 114 before we ourselves have experienced the disruption to our family life of working regular Sunday shifts.

CHILD CARE

Mr. McLean: My statement is for the Minister of Community and Social Services (Mr. Sweeney).

Being a single, working mother in Ontario is a virtual impossibility in this province. I know of one single mother in the village of Coldwater who, for the past six months, has been able to make ends meet only because she has been living with relatives. She knows this situation cannot

last for ever. By choice, she would like to depend upon herself to support her child and have her own place of residence.

This single mother approached the ministry for assistance in providing day care for her son, but there is no such service in her village. She was told it was up to her to find someone to care for her child. She discovered that the person providing day care would be faced with two inspections of the home for fire and health safety, would have to provide liability insurance and would be paid only every four to six weeks. The day care provider would also be on call whenever the single parent had shift work. She asked, "Would you do it for \$10 or \$15 per day?"

If this is all the minister has to offer for day care assistance, then it is no wonder that single parents have to stay at home and attempt to survive on welfare assistance. He is not allowing these women to use their many years of public education and hidden potential out in the workforce. If he would provide proper day care assistance, it would probably cost much less than having single parents stay at home.

This young lady wants day care, not welfare.

TOM ROBINSON

Mr. Ballinger: I am pleased to address the members today from my new seat on the rump side of the House and pay tribute to Tom Robinson of my home town of Uxbridge, Ontario, in my great riding of Durham-York.

Several years ago, while he was a very active Lions Club member, one of his responsibilities was to find a suitable Lions Club to twin with, which in turn would foster common interests and friendships between the two organizations.

During his search, he discovered that the first Uxbridge settlers, a small band of Pennsylvania Quakers, originated from a quaint borough in the hills of Pennsylvania named Catawissa.

At his own expense, he travelled to Catawissa and, to his astonishment, was informed that the residents there were about to form their very own Lions Club. Tom Robinson could not believe his good fortune. The timing was perfect.

Thanks to the tenacity and tremendous enthusiasm of Tom Robinson, both the Uxbridge Lions Club and the township of Uxbridge

officially twinned with Catawissa, Pennsylvania, on June 19, 1982. On six separate occasions since that historic date these two communities have alternated hosting across-the-border visits called Heritage Treks.

On October 28, approximately 150 Uxbridge residents will travel down to Catawissa to enjoy a weekend of wonderful American hospitality. They will be living up to their state motto, "You've got a friend in Pennsylvania."

AFFORDABLE HOUSING

Mr. Charlton: Last Saturday I attended the official opening of the Los Andes of Hamilton Co-operative Housing Project. The project contains 90 units of town housing, including five units for the disabled, and 72 per cent of the units are geared-to-income.

The Los Andes of Hamilton Co-operative was organized by immigrants and refugees from Central America and South America. These people should be proud. I congratulate them for their determination and hard work over the past three years, which has brought their dream of decent and affordable housing to fruition.

However, the housing needs out there are still enormous. Already they have 120 families on their waiting list and they have only just opened. Fortunately, these people had a focus around which to organize: the Spanish-speaking association of Hamilton. Unfortunately, most of the disadvantaged in our society, those in need of affordable housing, have no natural or existing focus around which to organize.

The Ministry of Housing should spend some small amounts of money to place organizers and facilitators out in the field to assist those in need to organize. We have thousands of names on waiting lists to work with. Perhaps some direct action and a little initiative on the part of the ministry would eliminate those unused allocations of housing money that we have seen over the past several years.

MADAWASKA HIGHLANDS REGIONAL TRUST PARK

Mr. Pollock: On Monday, October 24, 1988, the Fish and Game Club of Belleville and District is hosting a public meeting to discuss the proposed Madawaska Regional Trust Park. This regional trust park is being proposed by the Canadian Parks and Wilderness Society. The Minister of Natural Resources (Mr. Kerrio) has stated that he is not in favour of a one-million-acre wilderness park in eastern Ontario.

There is no question that the general public in the area is very concerned. This proposed park could eventually ban all trapping, hunting, fishing and logging.

The president of the Ottawa chapter of the society, Ted Mosquin, is lobbying for this park and has drafted a 64-page document with the proposals and changes. The question being asked is, does Ted Mosquin have a influential contact in the Liberal government, or why would he go to all this work and expense to prepare this document before checking out his chances of success?

Mr. Mosquin, Jack O'Dette of the Ontario Federation of Anglers and Hunters and a senior official of the Ministry of Natural Resources at Tweed will be at this meeting in Belleville.

1340

GUS HARRIS

Mr. Faubert: Many members of this Legislature, and certainly all Scarborough members, have come to know Scarborough Mayor Gus Harris as an institution in the city. After 10 years as mayor and more than 40 years of service in public office in Scarborough, this amiable, populist mayor has decided to give up the gavel.

Having served with Gus Harris during the last two of his four decades of public service, it is with pleasure that I commend him on his great commitment and dedication over these years to Scarborough and to Metropolitan Toronto.

Perhaps one of the most noteworthy characteristics that Gus brought to the mayor's chair was his intense pride in the city and his efforts to rid the city of its unearned journalistic misnomer of Scarberia.

He fought to bring the municipality city status and was one of the founding fathers of the Scarborough City Centre, which established a focus or a heart for the community of Scarborough.

During his 10 years as mayor, he led the municipality from an emerging suburb to a still-growing city of over half a million people and helped it assume its present role as an influential and significant part of the Metro Toronto area.

As well, he has served as an example for all who hold or aspire to hold public office. His great personal integrity was beyond question. Indeed, in order to preserve his honesty and independence, he never accepted financial donations to his political campaigns from any source. He was a rare breed of politician, indeed.

I urge all members of this Legislature to join in wishing Gus Harris and his family every success and much happiness in what I hope will be an active and enjoyable retirement from public office.

UNIVERSITY FUNDING

Mr. R. F. Johnston: Gus is a great New Democrat.

Today, an interesting congruence of events has taken place. I was at Jarvis Collegiate Institute this morning to hear young grade 13 students talking about their concerns for the underfunding of the university sector and what is going to happen to them as they try to get access to an increasingly underfunded system. At the same time, there was an article in the paper today on this report, "Financing Universities in North America: Can Ontario Compete?"

Again this year, the Council of Ontario Universities has shown that we are not funding our universities in this province to the same degree as private or public institutions in the United States are being funded in Reagan's America, if you can imagine that shame.

I suggest to the government that if it wants to talk about centres of excellence, if it wants to talk about really competing, then we had better start funding our universities appropriately.

STATEMENTS BY THE MINISTRY

DRUG ABUSE

Hon. Mr. Peterson: Earlier this week, we received the report of the member for Muskoka-Georgian Bay (Mr. Black) on illegal drug use in Ontario. At that time, I assured the House of this government's commitment to swift action against drug abuse.

Today, following cabinet discussion, several ministers are proceeding with initiatives to meet the challenge of the task force report. My colleague the Minister of Education (Mr. Ward) will make a statement later, and other ministers will have announcements soon.

The report urges us to provide visible leadership. We must form a partnership with parents, teachers, police, courts, the health profession, correctional services and community groups to instil in our young people the values they need to make responsible lifestyle choices.

In our effort to achieve that goal, I am appointing the member for Muskoka-Georgian Bay as my special adviser to continue his excellent work. He will serve as an advocate for drug abuse prevention.

Building on the co-operative relationship he has established with many community groups and agencies, the member will act as government liaison. He will also monitor the progress of ministry responses.

I know that every member of this House puts a high priority on the battle against drug abuse, particularly among our youth.

Hon. Mr. Ward: I am sure all members read with a great deal of interest earlier this week the report of the task force on the use of illegal drugs in Ontario. I am equally sure that all members of the Legislature share the profound sense of urgency felt by many parents throughout this province as we attempt to address this critical issue.

It is appropriate that our school system is being asked to play a critical role in the fight against drug abuse. As the report of the member for Muskoka-Georgian Bay points out, effectively fighting drug abuse requires a partnership of parents, families, the community and the police as well as our teachers and our schools. We need to form a common front against drug abuse, especially by our young people.

Let me review the steps we have already taken this fall to improve drug education in our schools. In our revised curriculum guideline for health and physical education, we have made drug education mandatory for the first time. We have made education about tobacco a requirement for students from grade 4 through to grade 10 and education about alcohol and other drugs, such as cocaine and marijuana, required from grades 7 to 10.

We have strongly urged each Ontario school board to develop a drug education policy. I have met with the Ontario Teachers' Federation and the Ontario School Trustees' Council to discuss the drug education issue and have received their strong support in our fight against drug abuse.

We are recognizing the need for awareness and understanding among our educators by financially supporting the attendance of one school board representative—two representatives in boards with French-language sections—to the annual Drug Education Co-ordinating Council's conference here in Toronto from October 31 to November 1.

We are ensuring that teachers have access to up-to-date resource lists of drug education materials. We are releasing to school boards this fall, through TVOntario, a computer program for grades 7 and 8 entitled *A Week in the Life Of...* This program lays out decision-making strategies

to help students deal with such issues as drugs and peer pressure.

Let me now turn to the six recommendations in the member's report that directly concern the school system. In step with the member's first recommendation, I have directed an immediate review of our recently announced mandatory drug education program contained in the new guideline for physical and health education. I am confident the information offered in this curriculum is sound, but I agree with the member that drug education must do more than just convey information. It must change attitudes and encourage positive behaviour.

Our schools must help students acquire the values and good judgement they need to cope with the presence of drugs in our society. An essential goal of our mandatory drug education program must be to help students develop the personal responsibility and decision-making skills necessary to make the right choices, to say no to drugs. The four-month validation process for this guideline is already under way. Copies have been sent to all school boards and interested groups for comment by early in the new year.

The second recommendation deals with the question of when to begin education on drug abuse. The member had recommended "that age-appropriate drug education be an essential component of health education courses beginning in the primary division." In the light of his findings, I am prepared to consider developing drug education in the primary division to introduce children to various aspects of drug use appropriate to their age level, but I will not take this step without consulting closely with school boards and educators throughout our province.

To seek their advice, I am informing all school board chairpersons of this recommendation by the member and requesting that their input on this critical question be contained in their responses to our new health and physical education guideline during the validation period.

At the same time, I will ask boards to respond specifically to our plan to introduce the topics of alcohol, marijuana and cocaine in grade 7. I am prepared to require the schools to teach our children about the dangers of these substances earlier than currently planned, but again only after consulting with our school boards and educators.

As suggested in the third recommendation, my ministry will, as soon as possible, begin negotiations with our faculties of education to develop and implement courses to update teachers on drug education.

1350

Fourth, the member has suggested we consider encouraging the integration of units on drug education into subjects such as English, science and family living. He has also suggested additional compulsory credits in physical and health education, along with the use of a wide range of special presentations, speakers and seminars related to drug education.

My ministry will begin, in January of next year, a review of OSIS—Ontario Schools: Intermediate and Senior Divisions. This review will include a new look at options for providing effective continuing drug education in secondary schools, including the choices offered by the member.

The fifth recommendation deals with a requirement that all school boards develop and implement a drug education policy.

To assist boards in this regard, I am creating an advisory committee to develop a framework within which boards can establish such policies. This framework will address the policy needs of all Ontario school boards and give them direction on what should be included in a drug education policy. The work of this committee is to be completed by September 1989 and available to all school boards shortly thereafter.

The final recommendation covered assistance to school boards for the in-service training of teachers. I am pleased to announce a cost-sharing grant to school boards over the next three years to assist them in developing local in-service teacher training programs relating to drug education. Ministry staff are currently working on developing this grant program and I will release details in the very near future.

The member's report on the use of illegal drugs has provided us with a sound blueprint for action. I am pleased to assure the House today that Ontario's education system will play a comprehensive role in helping to fight drug abuse among young people in our province.

1989 ONTARIO GAMES FOR THE PHYSICALLY DISABLED

Hon. Mr. O'Neil: I rise today to inform honourable members that the 1989 Ontario Games for the Physically Disabled will be hosted by the cities of Nepean and Ottawa from July 13 to 16, 1989. For the first time, the Ontario games will be held in two cities.

My ministry is proud to contribute \$130,000 of the total games cost of more than \$220,000.

The games have grown in size and complexity over the years and are now a major challenge for

any single municipality. The co-operative approach these cities are demonstrating may prove to be the model for the future.

The success of the games will depend on more than a year of hard work by the members of the organizing committee, and the many volunteers who will be donating their time and talents to make the games a reality. All should be commended for their dedication, and I know that when the athletes, families and friends meet at the Nepean Sportsplex and the Terry Fox Athletic Centre next summer, they will get the kind of warm welcome that makes Ottawa-Carleton such an enjoyable place to visit.

For the athletes and their supporters, the Ontario games will be the culmination of many years of effort. They will have won the right to compete in regional meets across the province. The winners at Ottawa-Nepean will move on to the national championships. Some will eventually represent Canada internationally, like Judy Zelman and Jim Enright of Ottawa, who are competing at the Paralympics in Seoul this week. Some may become world champions like Joanne Bouw of St. Catharines and Stephane Lecours of Hearst, who both set world records and won gold medals earlier this week.

The Ontario Games for the Physically Disabled are an important occasion for those who pursue their sport with challenges unknown to most of us. I wish all the athletes well in their training and in the Ottawa-Nepean Ontario games. I congratulate Nepean Mayor Ben Franklin and Ottawa Mayor Jim Durrell, and especially Chairman John Elliott and the members of his organizing committee, on their ground-breaking joint bid.

NUCLEAR COSTS

Hon. Mr. Wong: Today I am pleased to announce the establishment of an inquiry into Ontario Hydro's cost projections for nuclear and other key electricity supply alternatives.

In instituting this inquiry, the government of Ontario is adopting a recommendation of the Electricity Planning Technical Advisory Panel, an independent panel of experts appointed to review Hydro's draft demand/supply planning strategy. The panel suggested that there be a thorough review of Candu nuclear costs before any commitment is made to additional nuclear installations.

The inquiry will operate independently and consist of two members.

Ralph Brooks, who chaired the Electricity Planning Technical Advisory Panel, will serve as

chairman. Mr. Brooks is the former vice-chairman of the National Energy Board and is a specialist in electricity matters. He has wide knowledge of Canadian and American electricity utilities and specific knowledge of electricity exports and purchase opportunities.

Howard Bowers, the second member of the panel, is a senior staff member of the National Laboratory in Oak Ridge, Tennessee. Mr. Bowers has 39 years of experience in technical and economic evaluation of energy systems and has served as a consultant to the International Atomic Energy Agency on power plant construction costs and economic analysis of bids for nuclear power plants.

The inquiry will examine Ontario Hydro's projections for the cost of future nuclear-generated electricity from Candu reactors in Ontario. It will also review the method and assumptions Ontario Hydro uses for estimating the cost of key alternatives to nuclear power. As such, the mandate of the inquiry will be to determine whether Hydro's methodology provides an appropriate basis for preparing plans to meet Ontario's future electrical needs.

In addition, the inquiry will examine and report on the concerns expressed in the report of the Electricity Planning Technical Advisory Panel regarding Ontario Hydro's nuclear cost estimates.

I have the assurance of Bob Franklin, the chairman and president of Ontario Hydro, that the utility will co-operate fully with the panel and provide whatever information and assistance it may require. Furthermore, the panel may commission specific reports and retain the services of independent advisers, as it deems necessary.

The broader social and environmental issues involved with electricity generation are outside the scope of the present inquiry. These are important issues that will be addressed separately in the planning process.

I have requested that the panel report to me as soon as possible. I am confident the inquiry will provide the government of Ontario and Ontario Hydro with information that will help us to make the best possible decisions in planning the future of the province's electricity system.

RESPONSES

DRUG ABUSE

Mr. B. Rae: I hate to rain on the Premier's parade, but it seems to me we have to start coming to our senses here about what is going on.

The first point that needs to be made is that I find it astounding that this government would be

making piecemeal announcements in this particular area, but when it comes to fundamental problems like poverty and housing, the real causes of the kind of unhappiness that is producing the turn to drugs among our young people, and indeed among older people, this government has nothing to say, nothing on Thomson, firing John Sewell, refusing to deal with the causes of the problem and simply attempting to get on the media bandwagon, which the Premier (Mr. Peterson) is managing to do so far very successfully.

The second point I want to make, and I intend no particular disrespect to the member for Muskoka-Georgian Bay (Mr. Black), is that it is impossible for the member for Muskoka-Georgian Bay to serve in the variety of roles he has been given by the Premier. He has been told he is a special adviser, which means he is working for the Premier of the province. He has been told he is the government liaison, which means he is working for the Premier of the province. Then he is also being described as an advocate for drug abuse prevention.

The definition of an "advocate" is somebody who is independent, independent of the Premier and independent of the government. The member for Georgian Bay-Muskoka cannot be an independent advocate. He works directly for the government of Ontario. That is how he should be described and that is how he will be seen by those of us on this side of the House.

I400

Mr. R. F. Johnston: It is clear that the much vaunted drug education announcement has stood the test of time—what is it, four weeks? It has now been thrown out. Of course, it was not going to come into effect till next September anyway, but it almost made it.

I am glad to see that the Minister of Education (Mr. Ward) is willing to accept now that most of the major premises were incorrect and that the blistering attack by the member for Muskoka-Georgian Bay on his initiatives is something he should take seriously and reconsider. For instance, the fact that the minister would start talking about drugs to kids in intercity schools in grade 7 is one of the most ludicrous notions he could have come up with. The idea that he would not demand more health program mandatory courses and expect real drug education to take place in the schools is also ludicrous.

It is good to see the minister is going to review those things and perhaps, at some point in the future, bring into play some of the things that

were self-evident to most of us before he made his rather silly announcement several weeks ago.

NUCLEAR COSTS

Mr. Charlton: I would like to take a few moments to respond to the statement by the Minister of Energy (Mr. Wong). Those of us on this side of the House are pleased that the minister is finally proceeding with this inquiry into Ontario Hydro's cost projections for nuclear. It is unfortunate it did not happen until October 1988. The minister is well aware that a number of groups across Ontario have been questioning Hydro's figures and approach to costing for a number of years. Only at the last moment, do we finally get this inquiry. On the other hand, we are pleased to see it proceed.

There are two things that concern me. One is an assurance from the minister that the budget of this inquiry will be completely unfettered, because as the minister is well aware, the only presently existing information on Hydro's approach to costing nuclear is Hydro's own figures. That is why the Electricity Planning Technical Advisory Panel to the Minister of Energy had difficulty coming to a conclusion on this question last spring.

The other thing is that the minister will assure this House that the report of this inquiry will happen before the end of this year. As the minister is again well aware, the select committee is scheduled to report by the end of January and this inquiry is a vital part of what the select committee needs to do properly the job asked of it by this House.

1989 ONTARIO GAMES FOR THE PHYSICALLY DISABLED

Mr. Farnan: The official opposition joins in endorsing and supporting the 1989 Ontario Games for the Physically Disabled. Likewise, we commend the co-operative approach of the cities of Nepean and Ottawa. We extend best wishes to the organizers and volunteers who will organize the games and are proud of all the physically disabled athletes who will continue to dream dreams and demonstrate an extraordinary discipline and dedication to achieve their goals.

Mr. McLean: I want to respond to the statement made by the Minister of Tourism and Recreation (Mr. O'Neil) and commend the cities of Nepean and Ottawa for their hosting of the 1989 games from July 13 to 16 next year, the work that goes into the organizational committee, the many volunteers who are donating their time and their talent to make the games a reality,

plus the many disabled, less fortunate people who have the opportunity to participate. I commend the ministry for helping out by contributing some dollars.

This is the third statement the minister has made this week, and I am looking forward to a statement tomorrow with regard to the input he has had into Bill 113—

Mr. Speaker: Order. Further responses?

Mr. McLean: —on the Sunday shopping issue.

DRUG ABUSE

Mr. Jackson: All members of this House share a common concern with respect to the social problem that has emerged from drug use and abuse in this province. All members are pleased with the report of the member for Muskoka-Georgian Bay (Mr. Black), which has focused attention and debate on this subject. We are pleased the government has chosen to react in two short days. The statement of the Minister of Education (Mr. Ward) is interesting, given that the minister has not been able to respond to Mr. Justice Sirois's order with respect to the problems with Bill 125.

The Premier (Mr. Peterson) referred to the fact that he found time in cabinet to discuss this report, but he did not have time to discuss Judge Sirois's order. If I have a copy, I am sure his cabinet has had an opportunity to examine it. It is surprising he is willing to recognize a Liberal backbencher's report before he recognizes the reality of the courts in this province.

His report makes reference—I think it is on page 5—to values and good judgement. I ask this government, will it be exercising the judgement to invoke section 33 of the Charter of Rights, the “notwithstanding” clause, as its reaction to the order of Mr. Justice Sirois's, which it received earlier today? Will that be good judgement and will those be the values this government will now espouse on the fundamental issues of franco-phone rights in this province?

On page 10, the minister makes an interesting statement. He talks about a cost-sharing grant. I ask him again, if he is going to be the minister, to discuss not drug abuse but election abuse. Will he be coming up with moneys to pay for two sets of municipal elections in this province, which are going to be a direct result of his performance and the fact that he would not listen to the truth, to what was going to happen with Bill 125?

Mr. Cousens: When Benji Hayward died, it caused everyone in this province to stop and consider the gravity and the very serious effect

caused to our young people because of drugs. In fact, to have seen the recommendations that have come from my friend the member for Muskoka-Georgian Bay, nothing that I say in any way derogates from the excellent job he has tried to do.

I worry at this point that having met Mrs. Hayward—our caucus spent some time with her during our break, learning at first hand her own experiences—I know it is going to involve the family in a very significant way. The words are included in the report that the family is going to be part of the program.

We must get back to supporting the family in our society, and we, as legislators, have to give every encouragement to the family to give that leadership. I believe the family is the core and the most important part of our society, which we must do everything to maintain.

Do not just assume the school boards are going to do it all. I think we keep on throwing things on the teachers and forget that a mother or a father or those who are in the family unit are really most important. So there has to be an educational program to support them. I am really surprised that the Premier has not established a senior cabinet committee, instead of just one member, to become his advisory committee, and I would say that if he were to do that, it would begin to cause some effect on it.

NUCLEAR COSTS

Mr. Runciman: I have a brief response to the statement by the Minister of Energy (Mr. Wong). It is regrettable that it has taken this length of time for the minister to establish the committee. We know that we are dealing with perhaps one of the most critical issues facing the province in the years to come, and timing is especially important.

We were faced with the possibility of brown-outs this past summer when Ontario Hydro had to appeal to the people of this province to reduce their consumption. As to the way we meet the future energy demands in this province, those decisions are going to have to be taken in the very near future. The minister has virtually handcuffed the select committee on energy in terms of dealing with this question.

ORAL QUESTIONS

WORKERS' COMPENSATION

Mr. B. Rae: I have some questions for the Minister of Labour. The minister, in introducing his bill on workers' compensation, described the bill, after saying how progressive it was, as

"revenue-neutral," which means that in effect he is robbing the poor to pay the poor. Can the minister tell us why he is playing Sheriff of Nottingham when it comes to workers' compensation? Why is he robbing the poor to pay the poor, and how can he describe that kind of reform as a progressive reform?

Mr. Speaker: Just before the minister makes his response, I would remind all visitors in the gallery that we are glad to have them with us today. However, I ask them not to participate in any way.

Hon. Mr. Sorbara: I do not know about the Sheriff of Nottingham, but on this matter the Leader of the Opposition goes around the province pretending he is Robin Hood and on this issue he certainly is not Robin Hood.

The fact is that we have a workers' compensation system in this province that has not served well the very injured workers who are sitting in this gallery today. They have had a system that has been arbitrary and determined their accessibility to the pensions based on an arbitrary rating system.

What this bill does is to provide a far more equitable way of determining pensions. Even more important than that, what this bill does for the first time is redirect the resources of the worker compensation system towards helping workers get back to work so that once again they can become full-time participants in the workforce.

1410

Mr. B. Rae: The minister, in his answer, has admitted to what I have said: He is redirecting resources from one group of injured workers to another group of injured workers. That is not my definition, or our definition, of what is fair. That is not my definition of reform.

My supplementary question to the minister is, how can he describe his proposals as progressive when the legislation specifically denies workers, for the very first time since 1915, the right to appeal the level of medical assessment of the pension? It is the first time since 1915 that has happened.

The minister is denying that right to appeal and he is denying a right to appeal on reinstatement. How can he call a measure progressive when, for the first time since 1915, he is restricting the rights of appeal of ordinary injured workers?

Hon. Mr. Sorbara: I recall reading just the other day a speech made by the New Democratic Minister of Labour in Saskatchewan in 1979 when he introduced the dual award system to that

province, describing it as one of the most progressive pieces of labour legislation keeping the government of Saskatchewan and the system in Saskatchewan as a leader in worker compensation systems. The difference, of course, between that system and ours is that ours is far more generous.

The Leader of the Opposition suggests that there is no appeal on medical assessment. Let's get the facts straight. The noneconomic loss award in my bill is the first time in this province that a worker compensation system will provide an award for noneconomic loss. That award will be based on a medical determination. That award will be appealable by the injured worker if he is not satisfied with the determination that is made by the board. It is clear. It is in the legislation.

In addition, for the first time in this province the noneconomic loss award just happens to be the most generous, highest noneconomic loss award in any jurisdiction that we have been able to find anywhere in the world.

Miss Martel: The noneconomic loss outlined in this bill is lower than the monthly pension that injured workers receive now. Take a look at the calculations.

Let me go back to the minister for round three on the question of public hearings. I am going to put it very simply to him once again. He can tell his House leader that he wants public hearings. He can direct the six Liberals on the standing committee on resources development and advise them that he would like public hearings. Will he not today commit himself to doing that so injured workers will know there will be full public hearings around the province on this bill?

Hon. Mr. Sorbara: I just want to make one point on that issue. This bill, when it is passed, will provide, and will direct in fact, the worker compensation system to allow the very injured workers who are sitting in our gallery today to apply to the board for a supplement that for years many of them have been denied.

If my friend the member for Sudbury East wants public hearings for the purposes of delaying this bill, she had better tell those workers that it is the New Democratic Party that is denying them the opportunity to go back to the board to get a fair evaluation in a system that thus far has not treated them all that fairly.

Mr. B. Rae: If ever a minister could be described as worse than the Tories, we have just heard from that minister.

Interjections.

Mr. Speaker: Order. Does the Leader of the Opposition have a second question, and to which minister?

HOSPITAL SERVICES

Mr. B. Rae: I have a question for the Minister of Health.

My colleague the member for Cambridge (Mr. Farnan) has just received a letter from a doctor in Cambridge by the name of Norman Assad, who is an obstetrician and gynaecologist.

In this letter, Dr. Assad describes the plight of a patient, a woman who had premature rupture of membranes and went into labour. He felt that it was necessary for this woman to be transferred to another hospital, which would specialize in neonatal intensive care.

The doctor spent some two hours and 15 minutes trying to find this woman a bed in a hospital that would take her. Does the minister regard that as a good enough standard of care in Ontario today?

Hon. Mrs. Caplan: I am very interested in the case the Leader of the Opposition has raised so that I can investigate it, but I can tell him that is the very reason we established a central bed registry for neonatal care: so physicians in the province would have one phone number to call to access the nearest available bed. I would like to have the information so that I can determine what in fact happened in this case.

Mr. B. Rae: When the doctor called the central hotline number provided by the Ministry of Health, it was his second call. First, he called McMaster and was told there was no space. Then he called the number. They said the closest bed he could possibly get was in Ottawa and he would have to take an air ambulance.

Subsequent to that, he phoned St. Joseph's Hospital in London and was told that St. Joe's was overcrowded because it was taking all the patients from Toronto. He was unable to find any space there. When he phoned the number in Ottawa that he was given by the central registry, he got the Children's Hospital of Eastern Ontario and was told: "We don't have a maternity unit. Why are you phoning us?"

The doctor spent over two hours on the phone trying to find a bed for this patient. He ultimately got her into St. Joe's in London; it is taking 50 patients when it is supposed to take only 32. Is the minister satisfied with this?

Hon. Mrs. Caplan: I am very concerned that patients in need of urgent care get that care and get it when they need it. That is the reason we established the registry.

From what the member has described and the litany, it seems to me that the physician should understand how this works so he can get that

care. If he calls the central registry, it will arrange for the air ambulance immediately to pick that patient up and take her to the nearest available bed.

The perinatal system has been designed so that we have 10 centres of highly specialized care around the province. What we do is make sure that, by phoning that number, patients can access the bed that is as close to their home as possible, recognizing the very high level of technical expertise necessary to respond.

I am very concerned when I hear that either the physicians are not aware of how the system works or the system is not working. I would be pleased to have the specific details in this case to look at it to make sure we can educate everyone about how to make the system work better. That is what this is all about.

Mr. B. Rae: Before the Attorney General (Mr. Scott) goes into a paroxysm of applause—

Hon. Mr. Scott: No, but it was a sensible answer.

Mr. B. Rae: At 11 o'clock I got a call from Dr. Sheldon Girvitz, who is the chief resident in obstetrics and gynaecology at the Mount Sinai Hospital. Dr. Girvitz told me that he had to cancel five cases today. He had to cancel five cases yesterday.

At 11 o'clock this morning, he had a patient who was in a doctor's office, a 67-year-old woman, who was bleeding. He is unable to admit her into emergency because he cannot get any operating time. He is unable to admit her into the hospital because there are no beds. This woman is having to stay in a doctor's office right now in order to stabilize her bleeding. At that point, she will have to be either sent home or, if it cannot be stabilized, admitted into emergency. This doctor knows very well how the system does not work. It is not working on behalf of his patients.

When is the minister going to understand that blaming the doctors and blaming the hospitals is not the answer? The problem lies within her capacity to deal with it.

1420

Hon. Mrs. Caplan: What the Leader of the Opposition has pointed out is exactly why we need to make the kind of changes in the system that I have been talking about. What we have works relatively well most of the time, but we know there are enormous problems.

What I can tell him is what I am hearing from physicians across this province, and let me give the member the physicians' own words. Recently, within the last couple of days, a physician

publicly said, "I would not want to see the Health minister turn around and throw money into the system blindly."

This is not the response here. We have something, let's work with it, let's try to make it better. There are other alternatives. We must be able to look at what we have now and why it is not working and make sure we have appropriate referral.

Give me the name of that woman and I will make sure she is referred to an appropriate physician or an appropriate hospital. Hospitals must work together so we can respond to those most in need of urgent care.

RETAIL STORE HOURS

Mrs. Cunningham: My question is to the Premier. On the first day of the standing committee on administration of justice public hearings on Sunday shopping, the Solicitor General (Mrs. Smith) maintained, "The present Retail Business Holidays Act is unenforceable and unfair."

During the mayor of London's appearance before the justice committee, he requested that the government provide a written legal opinion that supports the statement that the current Retail Business Holidays Act is unenforceable.

In a response last week, the Solicitor General openly admitted that the government cannot provide this information "regarding the unenforceable and indefensible nature of the current law," because "no such document exists."

In spite of the government's claims, the present Retail Business Holidays Act has been upheld in the courts and it is enforceable. How can the Premier expect the public to have any confidence in him or his government's new legislation or his ability to govern?

Hon. Mr. Peterson: With respect to the general question, I think people demonstrated a year ago that they have every confidence in our ability to govern.

Interjections.

Mr. Speaker: Order.

Mrs. Cunningham: I should remind the Premier of his promise a year ago, that he would not be changing the Retail Business Holidays Act. I should also remind him that on March 31 there was just a little twitch towards the other party and we are here today to remind him of that.

Interjections.

Mr. Speaker: Order.

Hon. Mr. Scott: A little twitch, just a little twitch; the little twitch from London North. You

have your name; you are going to be famous now. Margaret Scrivener used to be the Rosedale ghost; you are the little twitch.

Mr. Speaker: Is the member finished?

Mrs. Cunningham: In the Liberal marching orders that the Premier gave his caucus outlining his party's line on this issue, he quotes a study by Clayton Research Associates of Toronto entitled *The Impact of Sunday Shopping in Alberta, 1982-86*. Recently, the mayor of London requested a copy of this report. The response by the Solicitor General was, "My ministry is not in possession of a report by Clayton Research Associates."

Given that this report has never existed and that there really is no legitimate local research to support any benefits to Sunday shopping, will the Premier not admit that he, the Treasurer (Mr. R. F. Nixon), the Attorney General (Mr. Scott) and the Solicitor General have dreamed up this legislation and that it is neither wanted nor necessary?

Hon. Mr. Peterson: I beg to differ with my honourable friend on two counts. First, I do not consider her an old twitch. In spite of the views of her colleagues on her side of the House, I have the highest regard for her, having known her for years and her very fine public service.

Second, let me say that I think this bill was crafted sensitively to deal with the realities of a large and diverse province. I would ask my honourable friend if she would come off her high horse and look at the realities of this great, huge province that we run, with different needs in different parts of the province. This is a sensitive way to handle it, and if the member does not believe me, look at the other provinces where this works well.

Mrs. Cunningham: I want to tell the Premier that we have done a lot of homework, and the people in New Brunswick simply would not agree with him. But I thank him for his personal compliments; I always enjoy them.

I would like the Premier at this point in time, though, to be honest. I think he has to be honest with the people of Ontario right now. The present Retail Business Holidays Act is enforceable and, in the vast majority of municipalities across this province, there is no problem.

We have just completed 26 days of public hearings. Some 270 groups came before our committee this summer and we received 522 submissions. The overwhelming majority of people in this province do not want this legislation, and this whole situation does not make any sense.

Mr. Speaker: Question.

Mrs. Cunningham: The question: It is time for the Premier to stop and it is time to reconsider, and I guess we would like to say it is really time to find a compromise.

Mr. Speaker: Order. The standing orders allow for questions to be put. I will ask for the last time, do you have a final supplementary? Please get to it.

Mrs. Cunningham: Is the Premier willing to stop, is he willing to reconsider and is he willing to find a genuine compromise for the citizens of Ontario?

Hon. Mr. Peterson: Let me say at the outset, by way of preamble to the member's preamble, that I am very happy to extend compliments to my honourable friend on any occasion, and I know how gracefully they are received from one who gets so few.

Let me say to my friend that this issue has been wrestled with on many, many occasions in this House, and I realize she feels that she has the, shall we say, compromise solution. I can tell her that every solution has been canvassed in this House. She has had her ideas and they have been brought forward, and I understand from the committee members that they have been found wanting in so many areas.

I would say to my friend—and I understand her point of view on this—that, on one hand, she does not like what is there; on the other hand, she wants to open some stores, even larger stores, I understand.

We believe that this is a sensitive and reasonable solution to a problem that has plagued this Legislature for a long period of time. We have canvassed all of the alternatives. I say to my friend that if she did not have such a hangup about looking at the past and looked at the future, looked at the diversity of this province, recognized that Sarnia is different from London, or that Grand Bend is different from Pembroke or Sault Ste. Marie, surely, if she would think about it and if she would look at this objectively, she would have to say that it just makes sense.

Does it not make sense for Kenora to make its own decision, or London to make its own decision, or Pembroke to make its own decision? Tell me, what is unreasonable about that? The reality is that there is nothing unreasonable.

HOSPITAL SERVICES

Mr. Brandt: I would love to ask a question about Sunday shopping, but I am going to ask a question—

Interjections.

Mr. Brandt: He was answering with such enthusiasm that I thought perhaps I should direct another question to the Premier (Mr. Peterson) but, in fact, I do have a question for the Minister of Health.

I would like to bring to the minister's attention that yesterday, in a speech to the Ontario Hospital Association, Dr. Barkin indicated that there were too many unnecessary operations being performed in Ontario, and I am sure that the minister in fact had some advance notice of that particular speech. He indicated as well that these operations include major surgeries, such as major bowel surgery and hysterectomies.

1430

Can the minister tell us what Canadian and Ontario studies she has to back up the assertion of Dr. Barkin with respect to the volume of major surgeries and operations? What Ministry of Health reports have been done to back up this assertion? Will the minister table this information in the House by the end of the week?

Hon. Mrs. Caplan: Modern technology is giving us the opportunity to gather the kind of data and evidence that the leader of the third party refers to.

A recent study in Saskatchewan, for example, said that while the population of women over the age of 15 increased by seven per cent, the rate of hysterectomies had increased by some 70 per cent. The College of Physicians and Surgeons of Saskatchewan became so alarmed that it took this information to the medical association, to the hospital boards and hospital administrators and, by doing a utilization and quality assurance review, in one year it was able to reduce the rate of unnecessary hysterectomies from some 60 per cent to 20 per cent.

As of today, a guide for utilization is now available, done jointly by the Ministry of Health, the Ontario Hospital Association and the Ontario Medical Association. As of regulations passed in August, utilization review committees are mandatory in all Ontario hospitals.

Mr. Brandt: I am sure the minister appreciates that this particular question goes beyond economics and beyond the question of hospital funding. In fact, it affects every Ontario citizen who has had or faces surgery of whatever kind.

As an editorial on this very same issue in the St. Catharines Standard recently stated, "A hysterectomy is not like ear piercing, it is a drastic, usually traumatic, intervention in a woman's body, and to imply that in this day and

age, a surgeon would remove a woman's uterus without good cause or thought is slanderous."

The minister's deputy minister has identified Ontario counties where there are a large number of hysterectomies done. I wonder if the minister would indicate which counties these are and which hospitals are involved. Has her ministry investigated any individual surgeries to see if they were unwarranted, and if she has, what action was taken against the doctors involved in those investigations?

Hon. Mrs. Caplan: Over the past year, one of the things I have been saying as I travel the province is that everything we do, every change we make in the system, should result in quality of care, quality of life, dignity for the individual and empowerment of the individual to make the right choices and decisions about his own health.

Many of the studies we are hearing about—and we know the United States is five years ahead of us in utilization and outcome review—suggest to us that there are many, many things we should be concerned about. Physicians themselves are telling me that they know there is much which is being done that is unnecessary and some that is ineffective.

I would be pleased to share with the member the information we have on the study in Saskatchewan and tell him that we believe it is the role of the College of Physicians and Surgeons of Ontario, which at present has the responsibility for competence, investigation and discipline of physicians, to ensure quality in the physicians' offices and competence of the physicians in the province of Ontario.

Mr. Farnan: Mr. Speaker, on a point of order: In view of the situation that exists, would it be appropriate if the Minister of Labour (Mr. Sorbara) were to go out and meet with the injured workers of Ontario?

Mr. Speaker: Order. It is not a point of order.

Mr. Brandt: With all due respect, I would like to remind the minister that in my initial two questions I directed my inquiries towards Ontario situations, and not Saskatchewan. The counties I am interested in are here in Ontario. The doctors and the overuse, if you will, of certain operational procedures are relative to our own jurisdiction.

I would like to go back to Dr. Barkin's speech, if I might, for a moment. He gave an example of one patient who received 1,400 prescriptions under the Ontario drug benefit plan. I think we all agree this is a situation that sounds quite terrible and unwarranted in terms of the volume of prescriptions.

Will the minister tell us whether the case that Dr. Barkin referred to, relative to the 1,400 prescriptions, has been investigated? What are the circumstances in this particular case, and has she brought the name of the doctor in question who was involved to the attention of the College of Physicians and Surgeons of Ontario for disciplinary action so that this type of overuse and abuse of drugs will not occur again? Has she taken any of the basic steps we would think the minister should take in this particular context relative to these kinds of situations developing in the health and medical field?

Hon. Mrs. Caplan: I would like to thank the leader of the third party for raising what I think is at the heart of and fundamental to our health care system, and that is protection of the public and quality assurance.

One of the difficulties we have in the province is that at this time the college of physicians and surgeons can act only on complaint. We now have in the hospitals, as I mentioned, mandatory utilization review. We rely on the profession to govern itself. I am hoping this fall to have a report from Alan Schwartz of the health professions legislation review, which has been going on for some five years. Some of these very issues will be addressed and discussed in this House.

We have already taken some action in this province. In fact, the Premier (Mr. Peterson) announced at the premiers' conference in Saskatoon that Ontario will be hosting an international symposium on quality assurance and outcome review because of our concern that everything we do in this province should result in effective quality care. I am pleased to hear that the leader of the third party shares my concern.

DEATH OF REFINERY WORKER

Mr. Mackenzie: I have a question of the Minister of Labour. Can the minister tell this House how his ministry managed to lay charges against the wrong company in the tragic death, on April 2, 1987, of Martin Baikie, some 39 years of age, at the Petro-Canada Inc. refinery operation in Oakville, a mistake that has resulted in the charges being thrown out of court on a technicality, perpetrating a real perversion of justice in this case?

Hon. Mr. Sorbara: Yes, I can do that. In the case that the member for Hamilton East mentions, charges were laid against a company named Petro-Canada Products Inc. An incident happened at a facility owned by Petro-Canada and, at the time, the corporate name of that entity

was Petro-Canada Products Inc. Charges were laid in that name.

I am given to understand that in the interim period that corporation did a corporate reorganization resulting in the fact that Petro-Canada Products Inc. ceased to exist as a corporate entity, and a new corporate entity, whose name is Petro-Canada Products something or other, came into existence. The charges were laid under the name of the previous corporate entity. At the time the matter came before the court, that matter was raised by defence counsel and, as the member for Hamilton East says, the charges were thrown out on a technicality.

I should tell my friend from Hamilton East, as I told him by phone and, I think, in a subsequent letter, that the decision of the judge in that case is being appealed.

Mr. Mackenzie: The minister might go a little further and check the dates. Either I am wrong and the newspaper is wrong, or he is wrong. The minister is aware that Petro-Canada Products Inc. amalgamated with Petro-Canada in, I think, January 1987. My information is that that was three months before Mr. Baikie was killed in that fiery accident. Then I pushed his ministry, among others. It took until almost the deadline before the charges were laid. Of course, once they were laid, the company lawyer was simply able to point out that it is now Petro-Canada Inc., that they had laid the charges against the wrong company and the charges were thrown out.

1440

Why did it take so long to lay charges so that there was no longer any time in that one-year time frame to re-lay charges against that company? What is he going to do about this specific case? I am glad to hear that he is appealing it. I am not sure what grounds he is going to have, given what little I know of the law in this particular case. Is he now prepared also to extend the period of time so that we are not restricted to a single year, which, quite frankly, leaves open the question as to why we waited to the last minute against a company like Petro-Canada?

Hon. Mr. Sorbara: There are a lot of questions there. First, let me tell my friend the member for Hamilton East that the reason we are appealing the decision of the judge is that we think the substantive issue of criminal liability ought not to be adjudicated on the basis of a technicality. The very same people run the company; the very same people work in the company and they work at the very same location. We all know that a corporation is a legal fiction, something created by paper. We want to

answer the question of whether or not criminal liability should be determined on the basis of whether a company was operating under one set of corporate documents or under another set of corporate documents. That is why we are appealing.

Now, as to the reason it took so long to lay charges, the answer is that it was a rather complex case. My friend the member for Hamilton East knows that there was another defendant in the case, and that case has proceeded. I just want to tell him that we have taken steps in the ministry now to ensure that in each stage of the process, a check is done with the Ministry of Consumer and Commercial Relations to ensure that, as we proceed to trial, we will update ourselves as to whether there have been any corporate changes in the corporate entity where the defendant is a corporation.

HOSPITAL SERVICES

Mr. Eves: I have a question for the Minister of Health. This past January, when we were discussing the issue of shortage of perinatal care beds in Ontario, the opposition pointed out that, by her own ministry's admission, there were over 1,100 nursing vacancies in Ontario. Just yesterday in the House we saw that the number of heart surgery beds is also being reduced because of the nursing shortage.

On April 25 of this year in the Legislature, the minister described the nursing shortage in the province as a "cyclical" situation. Does the minister still have that point of view?

Hon. Mrs. Caplan: For the information of the member opposite, the difficulty when we talk about nursing manpower issues is that it is not consistent across the province. In fact, there is a vacancy ratio, on average, of about two per cent to three per cent. The difficulty is that in certain places, like University Avenue and the teaching hospitals in Metropolitan Toronto and a couple of other places, that is much higher, and in other places it is much lower or nonexistent. It is not consistent. In fact, we know that over the years there have been cycles where there have been shortages and that there also have been too many.

One of the things we have to do when we look at this manpower issue and human resourcing issue, particularly when it comes to nursing or any of the other health professionals, is to do the kind of manpower planning that will allow us to anticipate what our needs are going to be, but nursing is unique in that it relates directly to the changing role of women. We know that our nursing schools are full. We are graduating 2,800

nurses every year. The problem is that they are leaving nursing after about five to seven years, so it is a different issue. It does not require the kind of response, which was the response of the member's own party when it was making policy, which was just to put more people into the schools.

Mr. Eves: The minister's response so far has been to do nothing. The Minister of Health knows that health care in Ontario is suffering because of a serious shortage of nurses. Yet she refuses to listen to the Ontario Nurses' Association, the largest nursing organization in the province, with over 47,000 members. She does not listen to staff nurses, the so-called nurses who work in the trenches day in and day out. Yesterday, as a matter of fact, in a response to a question I asked in the Legislature, she said that she deals with "the leadership of the profession." Isn't that a nice statement?

May I suggest it is precisely this attitude that the minister has, her refusal to deal with staff nurses and the people who work in the health care system day in and day out and who experience these problems on a daily basis, that is contributing to this problem in the health care system.

Mr. Speaker: And the question?

Mr. Eves: The minister has had the ONA's Goldfarb survey on the nursing shortage in Ontario since April.

Mr. Speaker: Question?

Mr. Eves: What specific steps has the minister precisely taken to address the four major recommendations in the Goldfarb survey?

Hon. Mrs. Caplan: Actually, probably for me, one of the most important findings of the survey that the honourable member referred to is the fact that nurses are optimistic that changes will be made. I have already announced that I am drafting a regulation to make sure that nurses have a voice in the management of hospitals and announced an intention to open the Public Hospitals Act to bring it up to date with the reality of the world today.

I have been meeting with the Ontario Nurses' Association, the Registered Nurses Association of Ontario, the College of Nurses of Ontario and the Association of Nurse Executives of Metropolitan Toronto. I have been talking to the elected leadership of nursing in this province, to work with them, to seek solutions which will deal with that which is a societal issue—systemic, requiring the kinds of changes that come from thoughtful attitudinal change, to make sure that nurses are appreciated and have a role that is

recognized in the management of those hospitals and that they are taken as important members of the health care team. I am moving to implement that.

WINE INDUSTRY

Mr. Dietsch: My question is to the Minister of Agriculture and Food. It is common knowledge that the grape industry in British Columbia received \$28 million. There are a lot of rumours going around that the details have been worked out and finalized. Could the minister please tell this House whether these details have been worked out and what the distribution of these funds is?

Hon. Mr. Riddell: It is my understanding that the government of British Columbia and the federal government have reached a tentative agreement on, I believe, a \$29-million program. That program will allocate most of its funds to the removal of 2,400 acres of grapes, which, by the way, is over two thirds of the grape acreage in British Columbia.

I believe the remainder of the funds will be spent on a 1988 crop support program. A special fund, I believe, is being established to guarantee producer contracts on the remaining acreage in that province. I believe there will be a small amount allocated for marketing assistance.

Mr. Dietsch: After this government's insisting that the federal government's \$70 million was not enough and there finally being a settlement of \$100 million, I think it is important to note that the grape growers in the area that I represent should have a settlement equal to or better than that of the people in British Columbia.

Interjections.

Mr. Dietsch: Before I was so rudely interrupted, I was asking the minister whether the details of this settlement are close to being finalized. Will our grape growers get a settlement equal to or, as I would like to see, better than that of the BC growers?

Hon. Mr. Riddell: There is quite a difference in the two programs. First, the British Columbia program is adjusting to the Canada-US free trade agreement. Our program is adjusting to long-term domestic challenges and also adjusting to the General Agreement on Tariffs and Trade. Therefore, the BC program has to make most of its adjustments over a period of six years.

Since we are responding to long-term domestic challenges and the GATT panel ruling, our program will run over 12 years. It is a \$100-million program. My ministry staff have

been working diligently with the grape producers. I believe they are coming very close to working out the various components of the program. I think an agreement will be struck before too long.

1450

TACTICAL RESCUE UNITS

Mr. D. S. Cooke: I have a question to the Solicitor General. It concerns the tragic shooting of Bernard Bastien by the Ontario Provincial Police tactical rescue unit down in the Windsor area in August.

I have many questions. Obviously, some of them cannot be asked at this point because of the coroner's inquest, but I would simply ask the minister, why will she and the government not call a public inquiry into this matter when we have now had the Woodstock incident of a couple of years ago and this tragic killing where someone was shot 13 times when the TRU was called in to deal with one emotionally disturbed person?

Is that not a good enough reason for her government to call a public inquiry to determine why we have these units in the province, what their mandate is and why we would continue to use them in these types of incidents in Ontario in 1988?

Hon. Mrs. Smith: The member for Windsor-Riverside raises a very valid concern that the citizens of Ontario have with regard to the appropriate use of the TRU teams, which is a matter that is, of course, being thoroughly evaluated at this time.

I would say, however, as he himself has pointed out, that it would be most foolhardy for me to make any judgemental statement on their use at this time or at any other time while an inquest is on. I would not want to interfere in the process of that inquest and in any way endanger or prejudice the statements coming forth from it.

I would point out to the member that an inquest is indeed very much a public inquiry of a particular type which allows a vast amount of evidence to be brought forward, much more so than an ordinary criminal charge case. Therefore, we wish very much for the inquest to have the opportunity to present its findings and its recommendations to us.

Mr. D. S. Cooke: The minister knows that a coroner's inquest has a much narrower mandate than a public inquiry. What I am suggesting to the minister is that this tragedy has not only scared the living daylights out of people in our community and right across this country as to the

role of the police forces in this province, but has also raised some very serious public policy questions that she cannot shove off and not deal with.

I am asking the minister to give a commitment to the Legislature and to the people of this province today that a public inquiry will be called on the issue of TRUs in this province, their use and whether or not they should even be in existence in this province.

Hon. Mrs. Smith: The member raises questions that will indeed be examined and we will be reporting to him.

I would certainly point out to the member that, as he says, members of the public tend to get very alarmed, quite correctly, when some one incident occurs that puts them very much on their guard. This does not mean to say that a public body does not have a responsibility to examine, not just that incident but other incidents of the past that may have given rise to the TRU teams, and to make sure that what facilities we have are both appropriate and appropriately used.

I remind the member that we have already issued much stricter guidelines as to the employment of these TRU teams and will continue to examine the situation, particularly to take advantage of any recommendations or findings of the inquest.

ACCESS TO INFORMATION

Mr. Harris: I have a question to the Premier. The Premier will know that the Ministry of Industry, Trade and Technology commissioned what we understand is a major poll on free trade. My colleague the member for Carleton (Mr. Sterling), our critic, put in a freedom-of-information request for the poll on July 18, 1988. Yesterday, he received a reply stating the ministry would release the poll within 90 days. Consequently, his request for access was denied.

Mr. Speaker, you will know that refusing this request runs contrary to the Freedom of Information and Protection of Privacy Act. It also runs contrary to the desire of the people of Ontario, who want to have all the information they can have on this issue before they vote in the federal election. My question is this: Why is the Premier suppressing the release of this poll until after the federal election?

Hon. Mr. Peterson: I am not familiar with the matters the honourable member is talking about, but we have no desire to suppress anything, unlike former governments.

Mr. Harris: The poll was paid for by the people of Ontario. It concerns a major issue in the

federal election campaign, and truly the people of Ontario—I think the Premier would agree with me—have a right to see it.

The legislative committee studying free trade releases its findings today. Will the Premier not take the right and proper action by stopping the efforts—if they are not his, then of his minister—in suppressing this information, and make sure this poll is released so Ontarians can have the same information available to them that the Premier and his cabinet colleagues have?

Hon. Mr. Peterson: Very frankly, I am not familiar with the matter the honourable member is talking about. If there is some problem with the information commissioner, then I hope he will take it up in the appropriate ways, but I am not sure my honourable friend is correct in his facts.

Mr. Harris: Why won't you release the poll?

Hon. Mr. Peterson: I do not know what the member is talking about.

LIMITATIONS ACT

Mr. D. R. Cooke: My question is to the Attorney General. As the Attorney General will recall, on June 21, some 4,000 signatures on a petition calling for a change in the statute of limitations, as it pertains to victims of sexual assault, was brought to his attention. The concern of the petitioners was that often, in family situations or situations involving persons of authority, there is a delay even greater than four years past the 18th birthday before the victim realizes the significance of the offence and the degree of realization necessary to instruct counsel to commence civil proceedings.

In view of the concerns of the Community Justice Initiatives of Waterloo region, the Survivors and Supporters Against Sexual Abuse and their 4,000 fellow copetitioners, could the Attorney General provide this House with an update of the ministry's consideration of amendments to the Limitations Act which will take into account the legitimate concerns for victims' rights?

Hon. Mr. Scott: I thank the honourable member for his question. As the honourable member knows, we have had under way for some months now a review of limitation periods as are found in a wide variety of provincial statutes over which we have control. The trick in this exercise is, of course, to fix a period of time which is fair to the proposed plaintiff who wants to commence an action and should not be required to do so before he or she has full knowledge of the possible liability, and on the other hand does fairness to a defendant who should not be called

upon to resist an action at a time when he may have destroyed his records or may have lost the capacity to recollect precisely what happened.

There are probably dozens of limitation periods and the honourable member has referred to one in particular. Following his question and the receipt of the petition, I explicitly asked the staff of my department to take into account that kind of concern. I should tell him also that a variety of committees outside government that have been good enough to give me advice in this matter, including the Canadian Bar Association committee, have been asked by me as well to deal with that question, so that I can get outside advice of the type he would like, in order that the government can make the appropriate response. That is where we stand and I will undertake to keep the honourable member and the House up to date.

Mr. D. R. Cooke: Could the Attorney General assure the House that when the review he has outlined takes place, the special difficulties that are encountered by incest victims and other victims of sexual abuse will be considered, and would he consider codifying the doctrine of delayed discovery for application in these cases?

Hon. Mr. Scott: The difficulties the honourable member refers to are, of course, difficulties that afflict a number of potential plaintiffs in a variety of situations. Young children who are subject to surgery at four and five may be unaware of the cause of the injury they sustained until they reach their mature years, so the courts have already developed a principle of delayed discovery that applies to some kinds of cases. Regrettably the courts, in the one or two cases that have come forward, have not applied it to incest cases, though there is much argument that they should.

We are precisely looking at that kind of question and at that kind of remedy, but I want to be very certain that I have the advice of the various groups out there, running all the way from potential plaintiffs to potential defendants, before we take to cabinet any proposal in this very difficult area. I will keep the honourable member and the House advised.

WORKERS' COMPENSATION

Mr. B. Rae: In the interval, in the last few minutes, I have been spending some time with injured workers who, as I am sure the minister will have heard, were outside this chamber. After some discussion with them, I continued my discussions with them outside.

I do not know whether the minister is aware of the depth of feeling of injured workers; I am sure he is, and certainly should be by now. Really, today they are united behind one very direct request to the minister. I hope that the minister will be able to give us a clear answer today in order to assure them that in fact there will be public hearings on Bill 162, about which they feel very strongly. Can the minister give them and this House the assurance that there will be full public hearings on Bill 162?

1500

Hon. Mr. Sorbara: I think I understand, as well, the depth of the feelings of those injured workers. I understand that for a very long time, so many injured workers have been treated in an arbitrary way by a system whose rules have not matched the reality of their injuries.

The member asked me about public hearings and I was just now writing a note to him on the subject. He knows that I have no objection to there being public hearings, but I just want to tell him, quite frankly, that I do not want to subject a committee of this House to the kind of antics we have seen today. I do not want to put members of this House in a situation where we can have public hearings so that we can delay the bill or have demonstrations that can bring a great deal of press attention to a view of this bill that I simply do not share.

Certainly, as the bill proceeds through second-reading debate, it will obviously go to a committee. The committee will have a view as to how extensive it wants the hearing process to be; the various House leaders will have views. I certainly have no objection to that process unfolding. I think it has to be organized and matched up with the kind of legislative agenda that we have here in the House and the other work the committees are going to be asked to do once this session takes a recess over Christmas.

I expect second reading to proceed fully and exhaustively during the next month and a half, the next six weeks. As I have said to the member, I have absolutely no objection. I am not going to order public hearings, because I do not have the capacity to order public hearings. I think there should be a hearing process, but it has to be done in the way in which we deal with it in every other bill, and that is for the process to be discussed among House leaders and to be organized in conjunction with other business the committee which considers the bill will have. I think that is a reasonable position.

Mr. B. Rae: I am really quite amazed. We have given the minister an opportunity to do a

wise thing and to make a wise statement today, and he has chosen not to do that. I am quite astonished that somebody of his experience would not recognize that opportunity. Let me try again. Let me give him another chance, because I think it is very important. In terms of the people who are out there, it is important that we get a clear message.

Is the minister prepared to recommend to his House leader that there be full public hearings across this province on this particular measure in the break period, January and February, so there can be a full discussion? Is he prepared to recognize that as the very minimum, as the least the workers of this province can expect of this government?

Hon. Mr. Sorbara: I am prepared to recommend to the House leaders that when this bill goes to committee there be a process where there can be input. Whether there will be hearings in a variety of cities will be something I will look at in terms of the recommendations the three House leaders discuss. The one thing I will not support is the kind of hearing process that has taken place with Bill 113 and Bill 114, because I think that hearing process—

Mr. B. Rae: Just what are you saying about Bill 113? Just tell us.

Mr. Speaker: Order.

Hon. Mr. Sorbara: I will tell my friend the Leader of the Opposition what I am saying. I think the fact that we are now in the midst of a filibuster so that we cannot even consider clause-by-clause analysis of Bill 114 is regrettable, but I am certainly prepared for us discuss a hearing process where anyone who wants to have input into Bill 162 can have that opportunity.

Hon. Mr. Conway: On a point of order, Mr. Speaker: There is a point that ought to be addressed here, and I want to be very clear because I sense a real concern. As government House leader, I want to make it very clear that the government has absolutely no objections to public hearings. I will give a commitment to working very co-operatively with my colleagues once this bill has passed the second-reading stage, to sit down with them and to work out a process and then to let the committee organize its own affairs.

Lest there be any confusion in the minds of my friends opposite, particularly in the official opposition, I want to make it very clear that the government has no objections. We will certainly be as co-operative as we possibly can.

Mr. Speaker: Order. I was listening. I did not really hear any point of order. New question.

Mr. Brandt: Mr. Speaker, it is with respect to the same point of order that you have now disallowed after you have heard it, so I find myself in a bit of a quandary. Let me simply say, by way of undertaking on behalf of our party, that we very much favour the proposal that has been made by the leader of the official opposition and our party would support full and total public hearings on this bill. We will support that if it is discussed by the House leaders.

Mr. Speaker: I am sure there are other members who wish to ask questions during the question period.

SEARCH AND RESCUE OPERATIONS

Mr. Pollock: I have a question for the Solicitor General. While on a hunting trip near Geraldton this past week, a Welland resident, the son of Gary Haggerty, who is a relation of the member for Niagara South (Mr. Haggerty), became lost in the bush. Although the Ontario Provincial Police officials and the Ministry of Natural Resources personnel were notified, they could not locate Mr. Haggerty's son, so he spent the night in the subzero temperatures. Because of his military training, he was able to survive.

Checking with the Ministry of the Solicitor General, we were told that in spite of the numerous requests to beef up its resources, there are only two OPP helicopters available for search and rescue operations. For the most part, they are stationed in southern Ontario.

Mr. Speaker: Question.

Mr. Pollock: Will the minister tell us today what steps she intends to take to improve OPP capabilities to locate Ontarians lost in the bush, so we can avoid a tragedy from occurring?

Hon. Mrs. Smith: I will be glad to look into this request for information on this particular incident. I can assure the member that we have an excellent record of response with our helicopters to people who are lost. We have been examining the need for another helicopter, particularly for a helicopter that can go more extensively out over the waters. I would welcome the member's input on this. We will raise this issue to see whether spending on this in service of the people and their protection, whether this particular need would justify the expense. If so, we will make such an expense. With regard to the individual case, I would be glad to report to the member.

Mr. Pollock: During the first week of hunting season, eight people were missing. The OPP say

this is not abnormal. Yet the nearest canine unit that could be used for tracking is in Thunder Bay. In the case of Mr. Haggerty's son, the unit was tied up and could not be used. We were told that numerous requests for further resources have been forwarded to the minister's office. When are we going to come through and give the OPP the resources to do the job, to avoid another possible tragedy like this happening?

Hon. Mrs. Smith: The member speaks of numerous requests and implies that these requests were not properly dealt with. I would be glad to have details of this, if he has such. I know that where we do have a shortage of resources, we can call upon the Ministry of Natural Resources, which also has facilities and often comes to our assistance. I believe we have extremely good coverage for these kinds of incidents, but if there are numerous incidents that can be brought to my attention, I would be glad to look into all of them.

PETITIONS

SCHOOL OPENING EXERCISES

Mr. J. M. Johnson: I have a petition signed by 145 constituents from the village of Arthur and area. It reads as follows:

"To the Honourable the Lieutenant Governor and Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"This letter is in protest of removing the Lord's Prayer from the classroom, also scripture readings."

I have another petition of the same nature signed by 31 members of the Mount Forest Pentecostal Church.

1510

RETAIL STORE HOURS

Mr. McGuigan: I have three petitions. I believe they are all employees of three different companies, but the address is:

"To the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg to petition the parliament of Ontario as follows:

"Whereas we strongly oppose the intention of Bill 113 for Sunday opening, we believe that the Ontario government must act to maintain Sunday as a common pause day."

It is signed by approximately 50 petitioners, and I have also signed.

WORKERS' COMPENSATION

Miss Martel: I have a petition which reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We urge the Liberal government not to proceed with Bill 162, An Act to amend the Workers' Compensation Act.

"Because Bill 162 contains the most significant changes to the Ontario system of workers' compensation contemplated for many years, and yet the Minister of Labour (Mr. Sorbara), as reported in the media, wants the bill passed and implemented by the end of 1988, in other words, without an adequate process for public consultation, debate, and discussion; and

"Because Bill 162 represents an attack on injured workers and their families and all of those people who have fought over the years to achieve fairness and justice for injured workers and their families; and

"Because Bill 162 will eliminate the current lifetime pension for lifetime disability and replace it with a dual award system, combining a lump sum and actual wage loss award benefits, that has been rejected by injured workers, their advocacy groups, community legal workers, and lawyers working on their behalf and by the trade union movement since it was first proposed for implementation in Ontario by the 1980 Weiler report and the Conservative government's 1981 white paper; and

"Because Bill 162 virtually ignores the devastating critique and recommendations of the Majesky-Minna task force report on vocational rehabilitation that was submitted to the Minister of Labour and suppressed by the Liberal government until April 1988; and

"Because Bill 162 gives legislative form to the unacceptable and reactionary policy of restricting access to supplement awards announced by the Workers' Compensation Board in November 1987; and

"Because Bill 162 restricts an injured worker's right to appeal decisions within the adjudication process and elsewhere, notably the percentage 'impairment rating' and reinstatement; and

"Because throughout Bill 162, injured workers are made subject to increased discretionary power at the hands of the Workers' Compensation Board functionaries and made subject to ever more intrusive, invasive, and demeaning assaults on their dignity, their privacy, and their right to fair and just treatment."

I will sign my name to this. I am in complete agreement.

RETAIL STORE HOURS

Mr. Pollock: Mr. Speaker, I have a petition to the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas we strongly oppose the intention of Bill 113 for Sunday opening, we believe that the Ontario government must act to maintain Sunday as a common pause day."

It is signed by 10 people from Paul Price Ford Sales in Bancroft.

ABANDONED RAIL LINES

Mr. Pollock: I have another petition.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, urge the Ontario government to purchase any railroad line that the Canadian National Railway proposes to abandon. These rights-of-way would be used as recreation trails and fire access roads."

It is signed by, I believe, well over 600 people.

WORKERS' COMPENSATION

Mr. R. F. Johnston: I have a petition:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We urge the Liberal government not to proceed with Bill 162, An Act to amend the Workers' Compensation Act, Revised Statutes of Ontario, 1980, chapter 539 as amended by Statutes of Ontario, 1981, chapter 30; Statutes of Ontario, 1982, chapter 61; Statutes of Ontario, 1983, chapter 45; Statutes of Ontario, 1984, chapter 38; Statutes of Ontario, 1984, chapter 58; Statutes of Ontario, 1985, chapter 3; Statutes of Ontario, 1985, chapter 17; and Statutes of Ontario, 1986, chapter 64, section 69,

"Because Bill 162 contains the most significant changes to the Ontario system of workers' compensation contemplated for many years, and yet the Minister of Labour, as reported in the media, wants the bill passed and implemented by the end of 1988—in other words, without an adequate process for public consultation, debate and discussion; and

"Because Bill 162 represents an attack on injured workers and their families and all of those people who have fought over the years to achieve fairness and justice for injured workers and their families; and

"Because Bill 162 will eliminate the current lifetime pension for lifetime disability and

replace it with a dual award system combining a lump sum and actual wage-loss award benefits, that has been rejected by injured workers, their advocacy groups, community legal workers and lawyers working on their behalf and by the trade union movement since it was first proposed for implementation in Ontario by the 1980 Weiler report and the Conservative government's 1981 white paper; and

"Because Bill 162 virtually ignores the devastating critique and recommendations of the Majesky-Minna task force report on vocational rehabilitation, that was submitted to the Minister of Labour and suppressed by the Liberal government until April 1988; and

"Because Bill 162 gives legislative form to the unacceptable and reactionary policy of restricting access to supplement awards announced by the Workers' Compensation Board in 1987; and

"Because Bill 162 restricts an injured worker's right to appeal decisions within the adjudication process and elsewhere, notably the percentage 'impairment rating' and reinstatement; and

"Because throughout Bill 162, injured workers are made subject to increased discretionary power at the hands of Workers' Compensation Board functionaries, and made subject to ever more intrusive, invasive and demeaning assaults on their dignity, their privacy and their right to fair and just treatment."

I add my signature to the aforementioned.

Mr. Wildman: I have a petition "To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We urge the Liberal government not to proceed with Bill 162, An Act to amend the Workers' Compensation Act, Revised Statutes of Ontario, 1980, chapter 539 as amended by Statutes of Ontario, 1981, chapter 30; Statutes of Ontario, 1982, chapter 61; Statutes of Ontario, 1983, chapter 45; Statutes of Ontario, 1984, chapter 38; Statutes of Ontario, 1984, chapter 58; Statutes of Ontario, 1985, chapter 3; Statutes of Ontario, 1985, chapter 17; and Statutes of Ontario, 1986, chapter 64, section 69,

"Because Bill 162 contains the most significant changes to the Ontario system of workers' compensation contemplated for many years, and yet the Minister of Labour, as reported in the media, wants the bill passed and implemented by the end of 1988—in other words, without an adequate process for public consultation, debate and discussion; and

"Because Bill 162 represents an attack on injured workers and their families and all of those people who have fought over the years to achieve fairness and justice for injured workers and their families; and

"Because Bill 162 will eliminate the current lifetime pension for lifetime disability and replace it with a dual award system combining a lump sum and actual wage-loss award benefits, that has been rejected by injured workers, their advocacy groups, community legal workers and lawyers working on their behalf and by the trade union movement since it was first proposed for implementation in Ontario by the 1980 Weiler report and the Conservative government's 1981 white paper; and

"Because Bill 162 virtually ignores the devastating critique and recommendations of the Majesky-Minna task force report on vocational rehabilitation, that was submitted to the Minister of Labour and suppressed by the Liberal government until April 1988; and

"Because Bill 162 gives legislative form to the unacceptable and reactionary policy of restricting access to supplementary awards announced by the Workers' Compensation Board in 1987; and

"Because Bill 162 restricts an injured worker's right to appeal decisions within the adjudication process and elsewhere, notably the percentage 'impairment rating' and reinstatement; and

"Because throughout Bill 162 injured workers are made subject to increased discretionary power at the hands of the Workers' Compensation Board functionaries and made subject to ever more intrusive, invasive and demeaning assaults on their dignity, their privacy and their right to fair and just treatment."

I support this petition and I have affixed my name thereto.

1520

Mr. Speaker: This might be an appropriate to remind all members of standing order 31(b), which says: "A member may present a petition from his place.... He shall endorse his name thereon and confine himself to a statement of the petitioners, the number of signatures and the material allegations," not necessarily the reasons for the allegations.

I did not hear how many had signed that petition either.

Mr. Wildman: I am sorry, there were two signatures on the petition.

Mr. Speaker: Thank you.

NATUROPATHY

Mr. Polsinelli: I have two petitions addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario. One of the petitions has 69 names, the other one has 118 names, and the petitions read:

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise their art and science to the fullest without prejudice or harassment."

I have subscribed my name to these petitions.

Mr. Laughren: On a point of order, Mr. Speaker: I wonder how many signatures there were. You neglected to ask the last speaker.

Hon. Mr. Sorbara: He said how many were on.

Mr. Laughren: No, he did not.

Hon. Mr. Sorbara: He did so. Read Hansard. He said how many were on.

Mr. Laughren: All right.

Mr. Speaker: Could the member not hear? Does the member for Nickel Belt wish to put forth a petition?

WORKERS' COMPENSATION

Mr. Laughren: "To the Honourable Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We urge the Liberal government not to proceed with Bill 162, An Act to amend—

Mr. Reycraft: You sound like George Bush.

Mr. Laughren: I did not know that Ronald Reagan was in the precincts. I will start over again, because I have lost my place.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We urge the Liberal government not to proceed with Bill 162, An Act to amend the Workers' Compensation Act, Revised Statutes of Ontario, 1980, chapter 539 as amended by Statutes of Ontario, 1981, chapter 30; Statutes of Ontario, 1982, chapter 61; Statutes of Ontario, 1983, chapter 45; Statutes of Ontario, 1984, chapter 38; Statutes of Ontario, 1984, chapter 58; Statutes of Ontario, 1985, chapter 3; Statutes of Ontario, 1985, chapter 17; and Statutes of Ontario, 1986, chapter 64, section 69,

"Because Bill 162 contains the most significant changes to the Ontario system of workers'

compensation contemplated for many years, and yet the Minister of Labour, as reported in the media"—as a matter of fact, we heard today—"wants the bill passed and implemented by the end of 1988—in other words, without an adequate process for public consultation, debate and discussion; and

"Because Bill 162 represents an attack on injured workers and their families and all of those people who have fought over the years to achieve fairness and justice for injured workers and their families; and

"Because Bill 162 will eliminate the current lifetime pension for lifetime disability and replace it with a dual award system combining a lump sum and actual wage loss award benefits that has been rejected by injured workers, their advocacy groups, community legal workers and lawyers working on their behalf and by the trade union movement since it was first proposed for implementation in Ontario by the 1980 Weiler report and the Conservative government's 1981 white paper; and

"Because Bill 162 virtually ignores the devastating critique and recommendations of the Majesky-Minna task force report on vocational rehabilitation, that was submitted to the Minister of Labour and suppressed by the Liberal government until April 1988; and

"Because Bill 162 gives legislative form to the unacceptable and reactionary policy of restricting access to supplement awards announced by the Workers' Compensation Board in 1987; and

"Because Bill 162 restricts an injured worker's right to appeal decisions within the adjudication process and elsewhere, notably the percentage 'impairment rating' and reinstatement; and

"Because throughout Bill 162, injured workers are made subject to increased discretionary power at the hands of Workers' Compensation Board functionaries, and made subject to ever more intrusive, invasive and demeaning assaults on their dignity, their privacy and their right to fair and just treatment."

Ms. Bryden: I have a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario. I feel that I must read the entire petition to make clear that Bill 162 replaces a great deal of existing legislation, and we must—

Mr. Speaker: Order. I am waiting for the petition. We do not need any other comments.

Ms. Bryden: "We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We urge the Liberal government not to proceed with Bill 162, An Act to amend the Workers' Compensation Act, Revised Statutes

of Ontario 1980, chapter 539 as amended by Statutes of Ontario, 1981, chapter 30; Statutes of Ontario, 1982, chapter 61; Statutes of Ontario, 1983, chapter 45; Statutes of Ontario, 1984, chapter 38; Statutes of Ontario, 1984, chapter 58; Statutes of Ontario, 1985, chapter 3; Statutes of Ontario, 1985, chapter 17; and Statutes of Ontario, 1986, chapter 64, section 69,

"Because Bill 162 contains the most significant changes to the Ontario system of workers' compensation contemplated for many years, and yet the Minister of Labour, as reported in the media, wants the bill passed and implemented by the end of 1988—in other words, without an adequate process for public consultation, debate and discussion; and

"Because Bill 162 represents an attack on injured workers and their families and all of those people who have fought over the years to achieve fairness and justice for injured workers and their families; and

"Because Bill 162 will eliminate the current lifetime pension for lifetime disability and replace it with a dual award system combining a lump sum and actual wage loss awards benefits, that has been rejected by injured workers, their advocacy groups, community legal workers and lawyers working on their behalf and by the trade union movement since it was first proposed for implementation in Ontario by the 1980 Weiler report and the Conservative government's 1981 white paper; and

"Because Bill 162 virtually ignores the devastating critique and recommendations of the Majesky-Minna task force report on vocational rehabilitation, that was submitted to the Minister of Labour and suppressed by the Liberal government until April 1988; and

"Because Bill 162 gives legislative form to the unacceptable and reactionary policy of restricting access to supplement awards announced by the Workers' Compensation Board in 1987; and

"Because Bill 162 restricts an injured worker's right to appeal decisions within the adjudication process and elsewhere, notably the percentage 'impairment rating' and reinstatement; and

"Because throughout Bill 162, injured workers are made subject to increased discretionary power at the hands of Workers' Compensation Board functionaries, and made subject to ever more intrusive, invasive and demeaning assaults on their dignity, their privacy and their right to fair and just treatment."

This petition is signed by four people. I have affixed my signature to it as well and I support it.

1530

RETAIL STORE HOURS

Mr. Morin-Strom: I have a petition a little different from the last couple.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas the Premier and other members of the Liberal government have stated the government's intention to repeal the Retail Business Holidays Act and to dump this responsibility in the laps of municipal governments who have already indicated they don't want it; and

"Whereas the Legislature's select committee on retail store hours, representing all three political parties in the Legislature, reported unanimously to the Legislature in May 1987 as follows: 'The committee supports the principle of a common pause day in Ontario'; and

"Whereas the report also said, 'The committee unanimously rejects the notion of wide-open Sunday shopping for Ontario'; and

"Whereas the report commented as follows on the impact of wide-open Sunday retailing on working people and working families: 'The committee strongly believes that wide-open Sunday shopping in Ontario would represent an added pressure in our fast-paced society and a strain upon the family structure'; and

"Whereas it continued: 'This strain would be imposed particularly on the families of retail employees, many of whom are women, who might then be required to work on Sunday. The committee also believes that wide-open Sunday shopping would have an adverse impact upon common time together for primarily female-led, single-parent families'; and

"Whereas the report continued as follows: 'Similarly, it is recognized that on Sunday, child care facilities are not generally available, public transit operates on reduced schedules, and open Sundays could lead to the need for more publicly sponsored family support services. All of these factors would impose unwarranted and unnecessary strain upon the family which is regarded as a key pillar of Ontario society'; and

"Whereas the Ontario government submitted a report prepared by its own women's directorate to the 1987 annual conference of ministers responsible for the status of women, and that report noted the need for greater government sensitivity to changes in hours of work and hours of business in terms of 'recognizing the need for time to be set aside when all families can be

together' and the need to 'ensure that common time off is set aside when all families can be together'; and

"Whereas the government's stated intentions can only increase existing pressures on working people and working families and result in less fairness for them;

"We urge the Liberal government not to proceed according to its recent statements of intent, but instead urge it to maintain and strengthen the Retail Business Holidays Act, to retain under provincial jurisdiction legislation regulating Sunday work hours, to not pass the buck to municipal governments on this issue and to give effect to a common pause day for working people and working families in Ontario."

I strongly endorse this petition for action by this government in this session and have affixed my signature to it. I present it for the government's consideration.

WORKERS' COMPENSATION

Mr. Farnan: I have here a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario. It reads:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We urge the Liberal government not to proceed with Bill 162, An Act to amend the Workers' Compensation Act, because Bill 162 contains the most significant changes to the Ontario system of workers' compensation contemplated for many years, and yet the Minister of Labour, as reported in the media, wants the bill passed and implemented by the end of 1988—in other words, without an adequate process for public consultation, debate and discussion; and

"Because Bill 162 represents an attack on injured workers and their families and all of those people who have fought over the years to achieve fairness and justice for injured workers and their families; and

"Because Bill 162 will eliminate the current lifetime pension for lifetime disability and replace it with a dual award system, combining a lump sum and actual wage-loss award benefits, which has been rejected by the injured workers, their advocacy groups, community legal workers and lawyers working on their behalf, and by the trade union movement, since it was first proposed for implementation in Ontario by the 1980 Weiler report and the Progressive Conservative government's 1981 white paper; and

"Because Bill 162 virtually ignores the devastating critique and recommendations of the Majesky-Minna task force report on vocational

rehabilitation that was submitted to the Minister of Labour and suppressed by the Liberal government until April 1988; and

"Because Bill 162 gives legislative form to the unacceptable and reactionary policy of restricting access to supplement awards announced by the Workers' Compensation Board in 1987; and

"Because Bill 162 restricts an injured worker's right to appeal decisions within the adjudication process and elsewhere, notably the percentage 'impairment rating' and reinstatement; and

"Because throughout Bill 162 injured workers are made subject to increased discretionary power at the hands of the Workers' Compensation Board functionaries and made subject to ever more intrusive, invasive and demeaning assaults on their dignity, their privacy and their right to fair and just treatment."

The petition is signed by two individuals. I am proud to attach my name to this petition and to submit it to you at this time.

Mr. Charlton: I have a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We urge the Liberal government not to proceed with Bill 162, An Act to amend the Workers' Compensation Act, Revised Statutes of Ontario, 1980, chapter 539, as amended by Statutes of Ontario, 1981, chapter 30; Statutes of Ontario, 1982, chapter 61; Statutes of Ontario, 1983, chapter 45; Statutes of Ontario, 1984, chapter 38; Statutes of Ontario, 1984, chapter 58; Statutes of Ontario, 1985, chapter 3; Statutes of Ontario, 1985, chapter 17; and Statutes of Ontario, 1986, chapter 64, section 69,

"Because Bill 162 contains the most significant changes to the Ontario system of workers' compensation contemplated for many years, and yet the Minister of Labour, as reported in the media, wants the bill passed and implemented by the end of 1988—in other words, without an adequate process of public consultation, debate and discussion; and

"Because Bill 162 represents an attack on injured workers and their families and all of those people who have fought over the years to achieve fairness and justice for injured workers and their families; and

"Because Bill 162 will eliminate the current lifetime pension for lifetime disability and replace it with a dual award system combining a lump sum and actual wage-loss award benefits, which has been rejected by injured workers, their advocacy groups, community legal workers and

lawyers working on their behalf, and by the trade union movement, since it was first proposed for implementation in Ontario by the 1980 Weiler report and the Conservative government's 1981 white paper; and

"Because Bill 162 virtually ignores the devastating critique and recommendations of the Majesky-Minna task force report on vocational rehabilitation that was submitted to the Minister of Labour and suppressed by the Liberal government until April 1988; and

"Because Bill 162 gives legislative form to the unacceptable and reactionary policy of restricting access to supplement awards announced by the Workers' Compensation Board in 1987; and
1540

"Because Bill 162 restricts an injured worker's right to appeal decisions within the adjudication process and elsewhere, notably the percentage 'impairment rating' and reinstatement; and

"Because throughout Bill 162, injured workers are made subject to increased discretionary power at the hands of Workers' Compensation Board functionaries, and made subject to ever more intrusive, invasive and demeaning assaults on their dignity, their privacy and their right to fair and just treatment."

I very strongly support this petition. I have added my name to it. It is signed by two residents of the city of Toronto and one resident of the city of Guelph.

Mr. Allen: I have a petition which reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We urge the Liberal government not to proceed with Bill 162"—and I will spare members all the statutory references—"because Bill 162 contains the most significant changes to the Ontario system of workers' compensation contemplated for many years, and yet the Minister of Labour, as reported in the media, wants the bill passed and implemented by the end of 1988—in other words, without an adequate process for public consultation, debate and discussion; and

"Because Bill 162 represents an attack on injured workers and their families and all of those people who have fought over the years to achieve fairness and justice for injured workers and their families; and

"Because Bill 162 will eliminate the current lifetime pension for lifetime disability and replace it with a dual award system combining a lump sum and actual wage loss award benefits,

that has been rejected by injured workers, their advocacy groups, community legal workers and lawyers working on their behalf and by the trade union movement since it was first proposed for implementation in Ontario by the 1980 Weiler report and the Conservative government's 1981 white paper; and

"Because Bill 162 virtually ignores the devastating critique and recommendations of the Majesky-Minna task force report on vocational rehabilitation, that was submitted to the Minister of Labour and suppressed by the Liberal government until April 1988; and

"Because Bill 162 gives legislative form to the unacceptable and reactionary policy of restricting access to supplement awards announced by the Workers' Compensation Board in 1987; and

"Because Bill 162 restricts an injured worker's right to appeal decisions within the adjudication process and elsewhere, notably the percentage 'impairment rating' and reinstatement; and

"Because throughout Bill 162 injured workers are made subject to increased discretionary power at the hands of the Workers' Compensation Board functionaries, and made subject to ever more intrusive, invasive and demeaning assaults on their dignity, their privacy and their right to fair and just treatment."

I have affixed my signature to this petition and I forward it to the Clerk's desk and to the government for consideration.

Mr. Hampton: I have a petition. It is to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario and it states:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We urge the Liberal government not to proceed with Bill 162, An Act to amend the Workers' Compensation Act." I will not read the chapter references.

Mr. Black: Go ahead, read the whole thing. Don't shortchange us.

Mr. Hampton: If the Liberal members insist, I will read it. I will defer to their request. As I said, the petition urges "the Liberal government not to proceed with Bill 162, An Act to amend the Workers' Compensation Act, Revised Statutes of Ontario 1980, chapter 539 as amended by Statutes of Ontario, 1981, chapter 30; Statutes of Ontario, 1982, chapter 61; Statutes of Ontario, 1983, chapter 45; Statutes of Ontario, 1984, chapter 38; Statutes of Ontario, 1984, chapter 58; Statutes of Ontario, 1985, chapter 3; Statutes of Ontario, 1985, chapter 17; and Statutes of Ontario, 1986, chapter 64, section 69,

"Because Bill 162 contains the most significant changes to the Ontario system of workers' compensation contemplated for many years, and yet the Minister of Labour, as reported in the media, wants the bill passed and implemented by the end of 1988—in other words, without an adequate process for public consultation, debate and discussion; and

"Because Bill 162 represents an attack on injured workers and their families and all of those people who have fought over the years to achieve fairness and justice for injured workers and their families; and

"Because Bill 162 will eliminate the current lifetime pension for lifetime disability and replace it with a dual award system combining a lump sum and actual wage loss award benefits that has been rejected by the injured workers, their advocacy groups, community legal workers and lawyers working on their behalf and by the trade union movement since it was first proposed for implementation in Ontario by the 1980 Weiler report and the Conservative government's 1981 white paper; and

"Because Bill 162 virtually ignores the devastating critique and recommendations of the Majesky-Minna task force report on vocational rehabilitation that was submitted to the Minister of Labour and suppressed by the Liberal government until April 1988; and

"Because Bill 162 gives legislative form to the unacceptable and reactionary policy of restricting access to supplement awards announced by the Workers' Compensation Board in 1987; and

"Because Bill 162 restricts an injured worker's right to appeal decisions within the adjudication process and elsewhere, notably the percentage impairment rating and reinstatement; and

"Because throughout Bill 162, injured workers are made subject to increased discretionary power at the hands of Workers' Compensation Board functionaries and made subject to ever more intrusive, invasive and demeaning assaults on their dignity, their privacy and their right to fair and just treatment."

I have affixed my signature to this petition and I heartily endorse it.

REPORTS BY COMMITTEE

STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

Mr. D. R. Cooke from the standing committee on finance and economic affairs presented the committee's report on the Canada-US free trade agreement, entitled Ontario Trade Review,

1988, Volume 1, and moved that it be placed on the Orders and Notices paper for consideration pursuant to standing order 32(b).

Mr. D. R. Cooke: In December 1987 and since that time, this committee has held what I believe to be the most extensive series of hearings that any legislative committee, federal, state or provincial, has held on either side of the border.

What we have in volume 1 is a comprehensive compendium of arguments on both sides of practically every one of the complex issues that have been raised by this agreement. I understand that approximately 70 per cent of the people in Canada say today that they do not know enough about this agreement, and I believe this document should be very valuable for them for that reason.

The primary conclusion of the report, not surprisingly—and, not surprisingly, it has two dissents—is that the agreement is a bad agreement for Canada and that unless certain fundamental changes are realized, the agreement itself should in fact be rejected.

I have a second report.

Mr. D. R. Cooke from the standing committee on finance and economic affairs presented the committee's report, entitled Ontario Trade Review, 1988, Volume 2, and moved that it be placed on the Orders and Notices paper for consideration pursuant to standing order 32(b).

1550

Mr. D. R. Cooke: This is a unanimous report of the standing committee on finance and economic affairs. It outlines our experiences in our dealings with the General Agreement on Tariffs and Trade and in meetings with the European Community and the Organization for Economic Co-operation and Development.

It recognizes that the current round of GATT negotiations, in which we are in the middle of a four-year round, the Uruguay round, is extremely vital and of great significance in so far as the future of trade in the world is concerned.

The committee believes that Ontario, along with the other provinces, should be fully consulted and included in this process, and its trade policy initiatives should be reviewed on an ongoing basis in so far as the GATT negotiations are concerned. We are particularly concerned that attention be paid to the upcoming midterm meetings of the GATT, which will occur in Montreal in December.

INTRODUCTION OF BILLS

KITCHENER AND WATERLOO FOUNDATION ACT

Mr. D. R. Cooke moved first reading of Bill Pr65 An Act Respecting the Kitchener and Waterloo Community Foundation.

Motion agreed to.

OCCUPATIONAL HEALTH AND SAFETY AMENDMENT ACT

Mr. Hampton moved first reading of Bill 177, An Act to Amend the Occupational Health and Safety Act.

Motion agreed to.

Mr. Hampton: In 1983, five workers died at the Port Arthur shipyards. One would expect that those workers were protected by the Occupational Health and Safety Act. Alas, the Ontario Court of Appeal found that a ship was not an industrial establishment, and therefore those five deceased workers had no protection under the Occupational Health and Safety Act.

The purpose of this bill is to provide that a ship under construction or repair and a shipyard are subject to the provisions of the Occupational Health and Safety Act and its regulations.

HOMES FOR THE AGED AND REST HOMES AMENDMENT ACT

Mr. Reville moved first reading of Bill 178, An Act to Amend the Homes for the Aged and Rest Homes Act.

Motion agreed to.

Mr. Reville: The purpose of this bill is to prevent the discharge of a resident from a rest home or a home for the aged without ensuring that there are suitable alternative accommodations. This amendment is similar to the regulations under the Nursing Homes Act.

SENIORS' INDEPENDENCE ACT

Ms. Bryden moved first reading of Bill 179, An Act for the Provision and Integration of Community-based Services for Seniors.

Motion agreed to.

Ms. Bryden: The short title of this bill is the Seniors' Independence Act, 1988. It will create a framework for the provision of community-based support services for seniors and the integration of these services with established programs to provide one-stop shopping for seniors' services. It will give seniors greater independence and will prevent their unnecessary institutionalization. It will give them access to

programs that will help them remain in their own homes as long as possible.

LEGISLATIVE ASSEMBLY AMENDMENT ACT

Mr. Farnan moved first reading of An Act to amend the Legislative Assembly Act.

1751

The House divided on Mr. Farnan's motion for first reading of An Act to amend the Legislative Assembly Act, which was negatived on the following vote:

Ayes

Brandt, Breaugh, Bryden, Charlton, Cooke, D. S., Cunningham, Cureatz, Eves, Farnan, Grier, Hampton, Harris, Johnson, J. M., Johnston, R. F., Laughren, Mackenzie, Martel, McLean, Morin-Strom, Rae, B., Reville, Villeneuve, Wildman.

Nays

Adams, Ballinger, Beer, Black, Bossy, Brown, Callahan, Campbell, Caplan, Carrothers, Cleary, Collins, Conway, Cordiano, Dager, Dietsch, Elston, Faubert, Fawcett, Fleet, Fontaine, Fulton, Furlong, Grandmaître, Haggerty, Hart, Henderson, Hošek, Kerrio, Keyes, Kozyra, Kwinter;

Leone, Lipsett, Lupusella, MacDonald, Mahoney, Mancini, McClelland, McGuigan, McGuinty, McLeod, Miclash, Morin, Neumann, Oddie Munro, O'Neil, H., O'Neill, Y., Owen, Patten, Pelissero, Phillips, G., Poirier, Polsinelli, Poole, Ray, M. C., Reycraft, Riddell, Roberts, Smith, D. W., Smith, E. J., Sorbara, South, Sullivan, Velshi, Wong, Wrye.

Ayes 23; nays 67.

ORDERS OF THE DAY

WORKERS' COMPENSATION AMENDMENT ACT

Hon. Mr. Sorbara moved second reading of Bill 162, An Act to amend the Workers' Compensation Act.

Hon. Mr. Sorbara: I am honoured to lead off this debate on second reading of Bill 162, An Act to amend the Workers' Compensation Act. As honourable members will recall, last June 20 I introduced into this assembly a bill to make the worker compensation system in our province respond more fairly and more effectively to the circumstances of injured workers. That bill, Bill 162, will provide a dual award system of

financial compensation for workers who suffer permanent disabilities in the workplace.

This will provide compensation for both impairment and lost earnings; an increase in the ceiling on financial compensation for injured workers; an obligation on employers to continue contributing to the injured worker's employment benefits for up to one year after the injury; an obligation on the Workers' Compensation Board to intervene early and effectively after a workplace injury with vocational rehabilitation assessment and services; an obligation on employers to reinstate injured workers in their jobs, to provide comparable employment or to provide the first opportunity on suitable employment; a continuation of indexed lifetime benefits for current WCB permanent disability pensioners and supplements for those permanent disability pensioners whose pensions are insufficient.

All of these reforms will be implemented effectively without any substantial increase in cost to the system. The reforms of Bill 162 are fundamental. The government is moving them forward because today, 73 years after it came into existence, the worker compensation system is broken. There is no one among us, neither workers nor employers, who does not agree that this is true. There is a consensus in this province that the system needs repair. Bill 162 is a major step in getting that job done. Following the introduction of the bill, it was characterized in both the provincial and national press as "a better deal, a fairer plan for injured workers."

In an editorial entitled "A Sensible Overhaul," the Windsor Star stated, "The Ontario government has come up with a sweeping but sensible overhaul of the Workers' Compensation Act that should more fairly distribute payments to injured workers and also do far more to get them back on the job."

Mr. D. S. Cooke: If it's so great, why don't you take it to the public?

Hon. Mr. Sorbara: I do not have any problem with that. Since the introduction of the bill, I have spoken with both labour and management in all regions of Ontario. There has been much interest in it and particular support for the emphasis on vocational rehabilitation, reinstatement and the dual award system.

There have been some concerns expressed too that, no doubt, will be aired during the second-reading debate and in the committee that will examine the bill. I look forward to those hearings, and I expect them to meet the standards of debate that the people of Ontario require and merit.

I do not believe that these purposes or the interests of injured workers will be served by misinformation as to the contents of this bill. The working people of Ontario have a right and a need to know and to understand what this bill provides.

On motion by Hon. Mr. Sorbara, the debate was adjourned.

The House adjourned at 6 p.m.

ALPHABETICAL LIST OF MEMBERS*
(130 seats)

First Session, 34th Parliament

Lieutenant Governor: Hon. Lincoln M. Alexander, PC, QC

-
- | | |
|---|--|
| Adams, Peter (Peterborough L) | Fontaine, Hon. René , Minister of Northern Development (Cochrane North L) |
| Allen, Richard (Hamilton West NDP) | Fulton, Hon. Ed , Minister of Transportation (Scarborough East L) |
| Ballinger, William G. (Durham-York L) | Furlong, Allan W. (Durham Centre L) |
| Beer, Charles (York North L) | Grandmaitre, Hon. Bernard C. , Minister of Revenue (Ottawa East L) |
| Black, Kenneth H. (Muskoka-Georgian Bay L) | Grier, Ruth A. (Etobicoke-Lakeshore NDP) |
| Bossy, Maurice L. (Chatham-Kent L) | Haggerty, Ray (Niagara South L) |
| Bradley, Hon. James J. , Minister of the Environment (St. Catharines L) | Hampton, Howard (Rainy River NDP) |
| Brandt, Andrew S. (Sarnia PC) | Harris, Michael D. (Nipissing PC) |
| Breaugh, Michael J. (Oshawa NDP) | Hart, Christine E. (York East L) |
| Brown, Michael A. (Algoma-Manitoulin L) | Henderson, D. James (Etobicoke-Humber L) |
| Bryden, Marion (Beaches-Woodbine NDP) | Hošek, Hon. Chaviva , Minister of Housing (Oakwood L) |
| Callahan, Robert V. (Brampton South L) | Jackson, Cameron (Burlington South PC) |
| Campbell, Sterling (Sudbury L) | Johnson, Jack (Wellington PC) |
| Caplan, Hon. Elinor , Minister of Health (Oriole L) | Johnston, Richard F. (Scarborough West NDP) |
| Carrothers, Douglas A. (Oakville South L) | Kanter, Ron (St. Andrew-St. Patrick L) |
| Charlton, Brian A. (Hamilton Mountain NDP) | Kerrio, Hon. Vincent G. , Minister of Natural Resources (Niagara Falls L) |
| Chiarelli, Robert (Ottawa West L) | Keyes, Kenneth A. (Kingston and The Islands L) |
| Cleary, John C. (Cornwall L) | Kozyra, Taras B. (Port Arthur L) |
| Collins, Shirley (Wentworth East L) | Kwinter, Hon. Monte , Minister of Industry, Trade and Technology (Wilson Heights L) |
| Conway, Hon. Sean G. , Minister of Mines (Renfrew North L) | Laughren, Floyd (Nickel Belt NDP) |
| Cooke, David R. (Kitchener L) | LeBourdais, Linda (Etobicoke West L) |
| Cooke, David S. (Windsor-Riverside NDP) | Leone, Laureano (Downsview L) |
| Cordiano, Joseph (Lawrence L) | Lipsett, Ron (Grey L) |
| Cousens, W. Donald (Markham PC) | Lupusella, Tony (Dovercourt L) |
| Cunningham, Dianne E. (London North PC) | MacDonald, Keith (Prince Edward-Lennox L) |
| Cureatz, Sam L. (Durham East PC) | Mackenzie, Bob (Hamilton East NDP) |
| Curling, Hon. Alvin , Minister of Skills Development (Scarborough North L) | Mahoney, Steven W. (Mississauga West L) |
| Daigeler, Hans (Nepean L) | Mancini, Hon. Remo , Minister without Portfolio (Essex South L) |
| Dietsch, Michael M. (St. Catharines-Brock L) | Marland, Margaret (Mississauga South PC) |
| Eakins, Hon. John F. , Minister of Municipal Affairs (Victoria-Haliburton L) | Martel, Shelley (Sudbury East NDP) |
| Edighoffer, Hon. Hugh A. , Speaker (Perth L) | Matrundola, Gino (Willowdale L) |
| Elliot, R. Walter (Halton North L) | McCague, George R. (Simcoe West PC) |
| Elston, Hon. Murray J. , Chairman of the Management Board of Cabinet (Bruce L) | McClelland, Carman (Brampton North L) |
| Epp, Herbert A. (Waterloo North L) | McGuigan, James F. (Essex-Kent L) |
| Eves, Ernie L. (Parry Sound PC) | McGuinty, Dalton J. (Ottawa South L) |
| Farnan, Michael (Cambridge NDP) | McLean, Allan K. (Simcoe East PC) |
| Faubert, Frank (Scarborough-Ellesmere L) | McLeod, Hon. Lyn , Minister of Colleges and Universities (Fort William L) |
| Fawcett, Joan M. (Northumberland L) | Miclash, Frank (Kenora L) |
| Ferraro, Rick E. (Guelph L) | Miller, Gordon I. (Norfolk L) |
| Fleet, David (High Park-Swansea L) | |

Morin, Gilles E. (Carleton East L)
 Morin-Strom, Karl E. (Sault Ste. Marie NDP)
 Neumann, David E. (Brantford L)
 Nicholas, Cindy (Scarborough Centre L)
 Nixon, J. Bradford (York Mills L)
Nixon, Hon. Robert F., Deputy Premier,
 Treasurer of Ontario and Minister of Econom-
 ics and Minister of Financial Institutions
 (Brant-Haldimand L)
Oddie Munro, Hon. Lily, Minister of Culture
 and Communications (Hamilton Centre L)
 Offer, Steven (Mississauga North L)
O'Neil, Hon. Hugh P., Minister of Tourism and
 Recreation (Quinte L)
 O'Neill, Yvonne (Ottawa-Rideau L)
 Owen, Bruce (Simcoe Centre L)
Patten, Hon. Richard, Minister of Government
 Services (Ottawa Centre L)
 Pelissero, Harry E. (Lincoln L)
Peterson, Hon. David R., Premier and Presi-
 dent of the Council and Minister of Inter-
 governmental Affairs (London Centre L)
 Philip, Ed (Etobicoke-Rexdale NDP)
Phillips, Hon. Gerry, Minister of Citizenship
 (Scarborough-Agincourt L)
 Poirier, Jean, Deputy Speaker and Chairman of
 the Committees of the Whole House (Prescott
 and Russell L)
 Pollock, Jim (Hastings-Peterborough PC)
 Polsinelli, Claudio (Yorkview L)
 Poole, Dianne (Eglinton L)
 Pope, Alan W. (Cochrane South PC)
 Pouliot, Gilles (Lake Nipigon NDP)
 Rae, Bob (York South NDP)
Ramsay, Hon. David, Minister of Correctional
 Services (Timiskaming L)
 Ray, Michael C. (Windsor-Walkerville L)
 Reville, David (Riverdale NDP)
 Reycraft, Douglas R. (Middlesex L)
Riddell, Hon. Jack, Minister of Agriculture and
 Food (Huron L)

Roberts, Marietta L. D., Deputy Chairman of the
 Committees of the Whole House (Elgin L)
 Runciman, Robert W. (Leeds-Grenville PC)
 Ruprecht, Tony (Parkdale L)
Scott, Hon. Ian G., Attorney General
 (St. George-St. David L)
 Smith, David W. (Lambton L)
Smith, Hon. E. Joan, Solicitor General
 (London South L)
 Sola, John (Mississauga East L)
Sorbara, Hon. Gregory S., Minister of Labour
 (York Centre L)
 South, Larry (Frontenac-Addington L)
 Sterling, Norman W. (Carleton PC)
 Stoner, Norah (Durham West L)
 Sullivan, Barbara (Halton Centre L)
Sweeney, Hon. John, Minister of Community
 and Social Services (Kitchener-Wilmot L)
 Tatham, Charlie (Oxford L)
 Velshi, Murad (Don Mills L)
 Villeneuve, Noble (Stormont, Dundas and Glen-
 garry PC)
Ward, Hon. Christopher C., Minister of
 Education (Wentworth North L)
 Wildman, Bud (Algoma NDP)
Wilson, Hon. Mavis, Minister without Portfolio
 (Dufferin-Peel L)
 Wiseman, Douglas J. (Lanark-Renfrew PC)
Wong, Hon. Robert C., Minister of Energy
 (Fort York L)
Wrye, Hon. William, Minister of Consumer and
 Commercial Relations (Windsor-Sandwich L)
 Vacancy: Welland-Thorold

*The alphabetical list of members appears in each issue. Lists of the members of the executive council, parliamentary assistants and members of committees, brought up to date as necessary, are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

CONTENTS

Wednesday, October 19, 1988

Members' statements

Retail store hours, Mr. Farnan	5005
Child care, Mr. McLean	5005
Tom Robinson, Mr. Ballinger	5005
Affordable housing, Mr. Charlton	5006
Madawaska trust park, Mr. Pollock	5006
Gus Harris, Mr. Faubert	5006
University funding, Mr. R. F. Johnston	5007

Statements by the ministry

Drug abuse, Hon. Mr. Peterson, Hon. Mr. Ward	5007
1989 Ontario Games for the Physically Disabled, Hon. Mr. O'Neil	5008
Nuclear costs, Hon. Mr. Wong	5009

Responses

Drug abuse, Mr. B. Rae, Mr. R. F. Johnston	5009
Nuclear costs, Mr. Charlton	5010
1989 Ontario Games for the Physically Disabled, Mr. Farnan, Mr. McLean	5010
Drug abuse, Mr. Jackson, Mr. Cousens	5011
Nuclear costs, Mr. Runciman	5011

Oral questions

Workers' compensation, Mr. B. Rae, Hon. Mr. Sorbara, Miss Martel	5011
Hospital services, Mr. B. Rae, Hon. Mrs. Caplan	5013
Retail store hours, Mrs. Cunningham, Hon. Mr. Peterson	5014
Hospital services, Mr. Brandt, Hon. Mrs. Caplan	5015
Death of refinery worker, Mr. Mackenzie, Hon. Mr. Sorbara	5016
Hospital services, Mr. Eves, Hon. Mrs. Caplan	5017
Wine industry, Mr. Dietsch, Hon. Mr. Riddell	5018
Tactical rescue units, Mr. D. S. Cooke, Hon. Mrs. Smith	5019
Access to information, Mr. Harris, Hon. Mr. Peterson	5019
Limitations Act, Mr. D. R. Cooke, Hon. Mr. Scott	5020
Workers' compensation, Mr. B. Rae, Hon. Mr. Sorbara	5020
Search and rescue operations, Mr. Pollock, Hon. Mrs. Smith	5022

Petitions

School opening exercises, Mr. J. M. Johnson, tabled	5022
Retail store hours, Mr. McGuigan, tabled	5022
Workers' compensation, Miss Martel, tabled	5022
Retail store hours, Mr. Pollock, tabled	5023
Abandoned rail lines, Mr. Pollock, tabled	5023
Workers' compensation, Mr. R. F. Johnston, Mr. Wildman, tabled	5023
Naturopathy, Mr. Polsinelli, tabled	5025
Workers' compensation, Mr. Laughren, Ms. Bryden, tabled	5025

Retail store hours, Mr. Morin-Strom, tabled	5026
Workers' compensation, Mr. Farnan, Mr. Charlton, Mr. Allen, Mr. Hampton, tabled . . .	5027

Reports by committee

Standing committee on finance and economic affairs, Mr. D. R. Cooke, tabled	5029
Standing committee on finance and economic affairs, Mr. D. R. Cooke, tabled	5029

First readings

Kitchener and Waterloo Foundation Act, Bill Pr65, Mr. D. R. Cooke, agreed to	5030
Occupational Health and Safety Amendment Act, Bill 177, Mr. Hampton, agreed to . . .	5030
Homes for the Aged and Rest Homes Amendment Act, Bill 178, Mr. Reville, agreed to . . .	5030
Seniors' Independence Act, Bill 179, Ms. Bryden, agreed to	5030
Legislative Assembly Amendment Act, Mr. Farnan, negatived	5030

Second reading

Workers' Compensation Amendment Act, Bill 162, Hon. Mr. Sorbara, adjourned	5030
---	-------------

Other business

Adjournment	5031
Alphabetical list of members	5032



No. 91

Hansard

Official Report of Debates

Legislative Assembly of Ontario

First Session, 34th Parliament
Thursday, October 20, 1988



Speaker: Honourable Hugh A. Edighoffer
Clerk of the House: Claude L. DesRosiers

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$16.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday, October 20, 1988

The House met at 10 a.m.

Prayers.

ORDERS OF THE DAY

PRIVATE MEMBERS' PUBLIC BUSINESS

WASTE DISPOSAL

Mr. Brandt moved resolution 43:

That in the opinion of this House, recognizing that the Ministry of the Environment has identified over 300 waste disposal sites in Ontario as possibly posing hazards to human health and the environment, and given that three years has passed since the Minister of the Environment first promised to establish an environmental superfund to clean up these waste disposal sites, the government should establish immediately a provincial environmental superfund to deal with the cleanup of leaking municipal and industrial landfill sites, to handle potential environmental problems related to the operation of waste disposal facilities, and thereby prevent further deterioration of our natural environment and reduce the threat to human health.

Mr. Brandt: With some reluctance I place this particular motion before the House, in that I feel there is a responsibility on the part of the government to fulfil promises that it made in the various election campaigns we have experienced over the course of the past few years. This was one of the most important pillars of the 1985 election, I believe.

In that particular election there was a promise made that a \$30-million cleanup fund or superfund, if you like, an environmental response to a serious problem that had developed in this province, was going to be committed by this province, in order to address the whole question of cleanup of some of the unacceptable, harmful and, in fact, extremely sensitive landfill sites that existed in many parts of the province.

The estimates are quite startling when one looks at them. There are approximately 3,850 landfill sites in the various parts of Ontario. Of those, according to the Ministry of the Environment itself, some 10 per cent have been identified as being of a matter of real, serious concern to the Ministry of the Environment. We have fully

about 385 sites, close to 400 sites, if you will, in the province, that would require attention in the form of the \$30 million that I have identified and \$30 million which was, frankly, promised by the members opposite, by their leader, during the course of an election campaign when I think a large number of people in this province voted in favour of such a fund.

It is interesting to note as well that our party introduced a similar fund for a somewhat larger number of dollars in the aborted throne speech just before the change of power in 1985. Aside from the politics of the situation, let me simply say that I believe there is some concurrence and some agreement within all three parties that we are going to have to address this question.

Earlier this week I asked for an emergency debate on the environment, specifically directed towards the need to establish some methodology by which we could face the problem directly, on how we are going to bring about an improvement in the way in which we are addressing the municipal landfill site problem. We had a healthy debate at that particular time with respect to some of the issues that are very real and, I think, of concern to members on all sides of the House. But it really begs the question that if we have some 400 sites out there that are of concern—and this is what my resolution this morning is directed towards and what it addresses—sites that are creating a leachate problem, sites that are contaminating ground water and sites that in some instances are contaminating ground water and ultimately drinking water, then obviously we have a responsibility to find some form of remedial action that will address that particular question.

It is not going to be easy, and I recognize that. In fact, the fund I am proposing to be initiated, and which this government has promised to introduce, is probably inadequate once we get at the job, but we have to get started somewhere and we have to get started rather quickly.

Some of these sites will require relatively minor adjustments, perhaps a leachate collection system. Others will require some kind of total degree of attention on the part of the municipalities and on the part of the province and may require the complete removal of some of the toxic

contaminants that we know are to be found in some of those landfill sites.

It is a very serious question. It is a very, very critical problem, not only as it relates to the existing 3,800 landfill sites that are scattered throughout this province and the contaminated and dangerous ones that have already been identified but also as there is the need for the development of some sort of safe landfill site policy for the future.

I want to say to the member of Kitchener (Mr. D. R. Cooke), who is interrupting me at this time, that one just simply cannot cop out and indicate or take the position that incineration is unsafe, that energy from waste is unsafe, that municipal landfill sites are unsafe and that therefore one is paralysed into total inaction, because the problem is that in this province we are still generating approximately two pounds of garbage per person per day. It runs into millions of tons of garbage that has to be dealt with in some fashion.

1010

The minister stood up proudly this week in response to a question I addressed to him and said: "Here is what we have done. To the member for Sarnia (Mr. Brandt), let me suggest to you that we have increased the amount of money which is directed towards recycling in this province from \$750,000 when you were the minister, and it is now \$7 million. That is a 10-fold increase."

I have no response to the minister other than to say I think that is a very positive step in the right direction. Had I been sitting in his seat over the past three years, I probably would have done likewise with a program which I introduced and which he has found to be of value to his ministry. All he has done is he has increased the amount of money directed towards that program.

Let me say, and I do not say this with the intention of simply being dramatic, if the minister were to take that \$7 million and increase it 10-fold to \$70 million, it would not address the problem. Recycling would still not be a sufficiently large percentage of the total volume of garbage that has to be dealt with in this province. I am not speaking about political verbiage either when I speak of garbage, but of the total amount of garbage that has to be dealt with—

Mr. Dietsch: It would take some landfill to take all that.

Mr. Brandt: I knew that would wake him up.

Of the total amount of garbage that has to be dealt with in this province, a 10-fold increase in the current budget would still be insufficient. I

will let that sit with the members opposite, who are so proud of the \$7 million they are dedicating towards this most worthy cause but is addressing the problem in a most insufficient way.

The minister, who is not in attendance this morning, may be interested to learn that we have landfill sites such as the Glenridge landfill site in the great community of St. Catharines in the Niagara region. That particular landfill site would be very high on the priority list of any government that wanted to address a remedial program for cleanup, because in this particular landfill site we have basement flooding that has occurred, and we have leachate or, in layman's terms, the spread of contaminants from the landfill site itself beyond the bounds of the property of the landfill site. We have had sewage overflows in the Glenridge site. It is unacceptable when that kind of situation, perhaps to a lesser degree, is repeated time and again in various locations across the province.

I say that the minister and the government have a responsibility in the first instance to address what they have not done and what they have promised to do, which is to commit to a cleanup superfund in the amount of at least \$30 million to address problems of the past. They have to take the next logical step as well; that is to get themselves out of this state of inertia they find themselves in and to move towards addressing one of the most serious, most critical and most difficult problems that our province is going to have to face not only today but in the years ahead, which is to find an adequate method of disposing of waste in our province.

I ask the members opposite, in a totally nonpartisan way, if they find it acceptable that the community of Halton has spent \$18 million over 14 years in an attempt to address its municipal waste problem without a solution. Irrespective of who may be found in the wrong or who may be found guilty or who may be found insufficient in responding to that problem, I ask the members opposite whether that seems reasonable and logical.

I ask if one can accept that a municipality would be put to the wall financially in the amount of \$18 million and that after some 14 years the solution they have come up with is that they are going to send, and have been sending, at a cost of \$1 million a month, their waste generated at a rate of two pounds per person per day, to the state of New York.

Mr. Wildman: That's free trade.

Mr. Brandt: That is another form of free trade. It certainly is.

What are they going to do with this garbage in the state of New York? Very simply, they are going to incinerate it. Now, if you were to speak with the current Minister of the Environment (Mr. Bradley) about incineration, he would say: "Wait a minute. There is a problem with incineration in this province. We have already closed an incinerator in Metro Toronto because it was proven to be unhealthy. In fact, it was proven to be an incinerator that caused octachlorodioxins and dibenzofurans to be emitted from the stack, and both dioxins and furans are known carcinogens."

Incineration is unacceptable, but is it acceptable to have incineration in another jurisdiction, the state of New York, where the very same fumes go up the stack and disperse over the province of Ontario?

Mr. Wildman: What about your federal confrères in the PC party?

Mr. Brandt: If my friend is suggesting that municipal garbage is also a federal responsibility, I say to him that in the first instance—and I recognize this, as a former mayor and someone who sat on a municipal council for some 10 years—it is in fact a municipal responsibility. I also say the problem has grown in magnitude and severity to the degree that it is now very much a provincial responsibility as well.

I say further to my friend that it is a national responsibility in the sense that I will concur with, support and wholeheartedly get behind a national superfund or cleanup that will address these kinds of problems in all parts of this great country of ours, because that is exactly what is going to be required in the ultimate end.

The problems of the past have been created not because of negligence, not because of oversights and not because of a lack of recognition of the environmental impact of landfill sites, but simply because this issue, the science of hydrology, the science of what happens to a landfill site over a long number of years, was simply not as widely known and as well understood 10, 20 or 50 years ago as it is today. We have to address ourselves immediately to what the problem is today and how we are going to address that problem.

The measures suggested by the current government in 1985 with respect to the \$30 million are a very positive start. But after three years, why do we not have a start? Why do we not have some beginning? Why do we not have some landfill sites being addressed so that over a period of time we can remove these 400 hazardous sites from the roster. Then we can at least go to communities like St. Catharines and Peterbor-

ough, which also has a problem landfill site, as well as many other communities and say to them, "We are going to pay some attention to a problem that has been established in your community for some time through its landfill site, and we are going to clean it up."

It can be done. We have the scientific knowledge today, we have the technology today, but do we have the environmental will to get on with this job? I say that time is quickly running out on us, because this type of contamination in these types of landfill sites is simply unacceptable, given the known factors associated with these landfill sites today—something we did not know 10, 15 or 20 years ago.

Interjections.

Mr. Brandt: The members laugh. I happened to spend two years in the Ministry of the Environment as technology was developing with respect to the detection of very minute particles of certain types of toxic chemicals. We did not have the technology 10 or 20 years ago to be able to understand some of these problems as well as we do today.

Now that we understand them, however, does that give the government an excuse to move absolutely nowhere with this problem? Does that give them an excuse not to fulfil a commitment that they made? I suggest it does not. I suggest they do have an unfulfilled election promise out there which I feel very strongly about and which my colleagues are very concerned about.

I want to say to the government that if it decides to embark on a course of action where it will initiate, at least as a start, the \$30 million towards the cleanup of the sites that have been identified as being dangerous, our party will support that kind of initiative. Although I have not talked to them, I feel confident that the official opposition would support that kind of initiative as well, because in fact it has called for that in the past, as have many members of the current government.

I ask the members to support this resolution. I ask them to support it in a spirit of nonpartisanship, in a spirit of addressing an overwhelming, serious and critical problem environmentally which has to be addressed as soon as is humanly possible.

1020

Mr. McClelland: I know all my colleagues in this House today agree very much with the previous speaker, the member for Sarnia (Mr. Brandt), that the problems we face today from leaking landfill sites all across this province need to be dealt with. They are a concern to all our

communities in terms of health and in terms of the environmental integrity of our communities. Those problems have to be addressed, and this government is committed to doing exactly that.

If one were to examine a list of the landfill sites, one would find that the vast majority of those sites that are causing concerns today were established in the past, when environmental standards and policies unfortunately were not even close to being as strict as this government's. The policies at that time were not even close to the policies that this government has in place today. In the last three years we have put standards in place that do not make application for landfill sites simply more paperwork. They are tough, they are comprehensive and they are designed to protect the environment.

Since coming to power three years ago, this government has introduced new policies to control properly the development and operation of landfill sites. This government has introduced these policies to ensure that the legacy of the leaking landfill sites and the problems that we were handed will not be handed to the next generation, totally unlike the situation that this government was handed.

Now, the member for Sarnia talks about things that need to be done, but I think it will be of interest to you, Mr. Speaker, to the members in this House and to the people of this province to look at exactly what has been done. The province has introduced a policy that we call, for the information of my friends opposite, land use on or near landfills and dumps. That policy provides direct direction on land use on or near operating or nonoperating landfills, regardless of who owns them. This policy recognizes that landfill sites have effects far beyond the land on which they are situated. That is hardly an earth-shattering conclusion, one might say, but for years there was no policy, until our government decided to deal with that.

This province has another policy. Our policy is entitled the role of the Ministry of the Environment in emergencies and spills. For the first time, we have set out a description of the role that this ministry has in protecting life, property and the environment during emergencies and spills. One can only wonder why the former government failed to recognize the need for such a policy. Notwithstanding a lot of rhetoric and sitting there on the shelf for many years, it took our government to get that off the shelf and enacted very shortly after taking office three years ago.

As well, the province has now incorporated the reasonable use concept into the Ministry of

the Environment ground water management activities. The underground aquifer is no longer a resource that can be contaminated. This government recognizes that everyone has a right to clean ground water, regardless of what the neighbouring lands are being used for.

This government is continuously improving the standards that must be met in order to establish a landfill site in Ontario. Alternatives to the establishment of a landfill site such as recycling, on which the honourable member unfortunately does not have the foresight or the faith in the people of this province—

Interjections.

Mr. McClelland: In spite of the comments that I heard a few moments ago, I want to say to my friends opposite, to members of this House and to the people of Ontario that other jurisdictions in our world have attained a 50 per cent recycling achievement, a diversion of 50 per cent in other communities in Europe. There is no reason we cannot do that. I think that instead of looking at the glass as being half empty, we have got to recognize that we have the potential to work co-operatively and together and to be successful in this province.

This is nothing new. Recycling is a realistic alternative. Thanks to the support and commitment of this government to the four Rs of waste management in Ontario, we are well on our way and we will achieve it, in spite of the pessimism of our friends opposite.

It was this government, it was the government of the day that had the political will to begin applying the Environmental Assessment Act to private waste management undertakings, including landfill proposals, in order to ensure that environmental effects are carefully considered. We are the government that took that step and had the courage to do that. Today it is the magnitude of the proposed undertaking that determines the application of environmental assessment. That is the determination; that is the critical factor.

I could go on for well over the amount of time that I have left to talk about the things that this government has done and the steps that we have taken, but we cannot just be talking about dumps any more. The legacy of establishing poorly designed landfills will not be repeated by this government. This government is committed to never leaving a situation like the situation we inherited for the next generation.

But at this time I would like to examine the resolution's suggestion. What does this resolu-

tion suggest about the historical problem of leaking landfill sites?

Well, the resolution calls for a provincial version of a superfund and for more money and access to the government. It accuses the government of doing nothing for three years to address a problem of leaking landfill sites. Nothing could be further from the truth. Let's tell the people of this province what this government has done as far as addressing this problem is concerned.

We have a provincial superfund already. We have already got what this resolution asks for. We have a superfund, and it is called, for the information of the members opposite, my colleagues who are not aware of it, the environmental security fund. I am glad that the official opposition is well aware of that, notwithstanding that the members of the third party are a little bit behind them.

It was established on July 23, 1985, over three years ago, shortly after this government came into power. The environmental security fund was established with a budget of \$10 million and was designed to enable the Ministry of the Environment to have available funds to respond quickly to environmental threats, spills and contaminated water supplies and to ensure that the proper long-term resolution of environmental problems was dealt with. In creating this provincial superfund, this government has gone even beyond the model established by the United States Superfund. The Superfund applies only to waste disposal site cleanups. We are talking about the entire environment.

The Ontario security fund applies to any environmental emergency, however caused: spills, natural disasters, illegal discharges—it applies to it all. The security fund provides for immediate restorative action to address the problems in a local area. Mine tailings are dealt with. Unauthorized discharges and waste disposal practices of a polluting company are all dealt with under that fund. The security fund is applied if those liable for the mishap cannot be identified or if orders, such as control orders, are not complied with immediately. The security fund is designed to provide funds quickly for large, unexpected expenditures.

The types of works funded today are numerous. They include hydrological studies of areas where serious contamination is known or expected; the provision of alternative water supplies where existing supplies are affected or threatened by a source of contamination; the cleanup of areas where environmental damages or health risks are identified; actions to remove or reduce

potential long-term environmental hazards, and many more. It is useful, though, to consider for a moment how the former government managed before the security fund was established. In the past, the ministry responded through either a \$200,000 regional operations division contingency budget, the use of the waste management improvement program to undertake low-cost remedial measures or relocating funds in one year from another program to deal with this problem.

When the security fund was announced by this government, it was emphasized that the fund would enable the ministry to respond to contingencies more speedily and in a comprehensive manner. The fund permits cleanups to take place without jeopardizing other environmental programs. We do not borrow from one program to pay for this. We have it established and it is dedicated to do exactly what the member opposite is asking for.

The security fund was established with a budget of \$10 million. The current budget is \$20 million, and the total expenditures to date under the security fund have been almost \$39 million. That amount of money will certainly rise in the future. We have numerous projects that need to be addressed. Those projects that we have inherited, the difficulties of the past, we will address with this fund.

We will make every effort to recover from the parties that are responsible. The money that we do recover will be disbursed under the security fund for the resolution of environmental problems that arise from the activities of those particular parties.

In conclusion, this government and the current Minister of the Environment have acted responsibly and with vision and have made a solid commitment to a fund to deal with the problems in the environment that we inherited. The environmental security fund was established to do exactly what this resolution is requesting. As a result, this resolution, if I can be kind, is redundant, if not foolish. Because this government has established the environmental security fund and has acted decisively already, we will not be supporting this resolution.

Interjections.

1030

The Deputy Speaker: Before I recognize the next speaker, as this is private members' business, it would be most appreciated if we could have one member at a time.

Mr. Wildman: Thank you, Mr. Speaker. I appreciate your assistance.

I rise in support of this resolution. I am surprised that the member for Brampton North (Mr. McClelland) would say that he is opposed to this, considering the rhetoric that his own minister has used in the past in this regard.

I must say that I find it somewhat amusing that we should have this resolution presented to this House today by a former Minister of the Environment from the previous Conservative government. I understand certainly that there are 300 to 400 waste disposal sites which are possible hazards to the environment or human health in this province which must be acted upon, but one has to consider very carefully how those landfills became so hazardous.

The member for Sarnia in his presentation pointed out that, in the short-lived regime between the 1985 election date and the change of government as a result of the accord, the then Conservative government of Mr. Miller introduced a superfund; it made a proposal for a superfund. One can realize why that happened. Let's think of the political situation at the time.

Everybody in this House is aware that, at the time, there were negotiations going on among the various political parties. Frankly, the Conservatives had missed the boat and they were trying to get back into the boat by saying they would respond to a number of the concerns that were being put forward by members of this political party in order to gain support so that their government would not be defeated. That was the only reason.

As a matter of fact, not too many weeks before the proposal for a superfund by the then government, a gentleman named Morley Kells, who was the Minister of the Environment, during the election campaign had to respond to a very serious polychlorinated biphenyl spill in the northwest. His only comment was that there was nothing to worry about, because only the rats on Highway 17 would be exposed to the PCBs. I do not know why he thinks only rats live in the northwest, but there were more than just rats exposed. As a matter of fact, a young family drove behind that truck for many hundreds of miles and were exposed to very serious problems.

That statement by Mr. Kells epitomized the Conservative attitude towards environmental protection. It was not until they lost their majority and faced the possibility of losing the reins of government that they suddenly were converted to the idea of an environmental cleanup and an environmental fund, which this

party was proposing and which that party accepted only because it wanted our support.

The member for Sarnia did say that he thought this fund should be higher than \$30 million. In fact, in our view, in order to be able to begin to respond to the serious concerns about landfill sites in this province, there would have to be a fund for Ontario of about \$50 million.

The thing I am a little concerned about in this resolution, while I support it, is that it does not say where the money should come from. The member does not make it clear that this money would not come from the taxpayers, as does the current environmental security fund of the Liberal government. A superfund being talked about by this party, and which is now being talked about at the federal level in the election campaign, is patterned after the United States Superfund, which is a fund that is built on taxation on the companies that produce and use hazardous chemicals and hazardous substances.

That is the kind of superfund that we need, not only in Ontario but also across this country. It is the kind of superfund that is being proposed in this election campaign by Ed Broadbent, the federal leader of the New Democratic Party in Canada, and I understand it is being supported by the Liberal Party, I think, federally. It is hard to tell.

The Ontario environmental security fund has been raised to \$20 million, as the member for Brampton North indicated, but that is coming from the consolidated revenue fund, the taxpayers. Basically, what that means is that the victims of pollution will have to pay for the cleanup. The people who are having to experience the contamination of ground water are going to have to pay for it rather than the people who are responsible.

It can be said that the reason for the superfund is to deal with problems in landfill sites where you cannot identify the person or the company that is responsible for the hazardous substance being deposited in the landfill site, but that is the reason for taxing the producers and the users of these materials before it happens, so that when you cannot identify the exact culprit, the money from those taxes can then be used to clean up.

That is what is needed in this province and in this country. We need a federal-provincial effort instead of the stalling by the federal Tory party and the Conservative and Liberal governments in the provinces. We need a superfund, as advocated at the federal level by Ed Broadbent, patterned after the United States Superfund. An environmental cleanup fund must be created out of taxes

on the producers and users of hazardous and toxic chemicals and substances, as I indicated.

It must also be used to investigate and clean up abandoned toxic waste sites where the liable party cannot be determined or found.

In our view, Canadians right across this country want industrial waste sites cleaned up. They want a government that will take the initiative, where appropriate, to clean up abandoned hazardous wastefill sites; and in our view, we must establish a fund that will apply specific taxes on companies producing toxic substances, roughly \$4 to \$11 per tonne of chemical produced and between 8 and 11 cents per barrel of oil and gas, as well as a modest environmental surtax on the profits of all businesses, about 0.12 per cent, to raise \$200 million across the country. I think that all provinces and the federal government must participate.

The fund would be spent on environmental cleanups and repair of environmental damage and would allow Canadian citizens, both in this province and across the country, to petition for its use towards specific purposes.

We must establish a complete inventory of toxic and hazardous wastes throughout Canada, and particularly in Ontario, and provide enforceable timetables for their safe disposal and destruction.

We must oversee compensation to victims of environmental damage, ensuring that, whenever possible, this is paid by those responsible for injury and damage. It should not be the victims who have to contribute to the cost. I do not agree with the Conservative approach that we should use general taxation to pay for this kind of fund.

I believe that Ontarians, and Canadians in general, have had enough of vacuous resolutions. They have had enough of political promises to clean up the environment. They have had enough of these kinds of debates. They have had enough of disagreements between provincial environment ministers and federal environment ministers. They have had enough of the inaction at the federal level to set national standards.

The people of this province and the people of Canada want action, and they want action based on a rational approach. In my view, even the producers and users of chemicals and hazardous substances are prepared to pay into the kind of fund we are talking about. They have indicated they would. It is in operation in the United States now. Many of these companies operate in both jurisdictions.

It is not time for more resolutions. It is not time for the Liberal government to say we already

have a fund that is adequate, because it is not. It is time for us to get together, both provincially and federally, and work together to clean up the environment. It is not time for us to be patting ourselves on the back and saying we are more concerned about the environment than the other guy. The fact is we are all in this together and we all have to sink or swim. While it is fine to say that someone has had a conversion on the road to Damascus, like our friend the member for Sarnia—thank God he has—we have to have the rest of the people in this province and in this assembly agree to a cleanup. Enough talk. Let's have some action.

1040

Mrs. Marland: May I just say at the outset that I feel privileged this morning in our caucus to follow our leader, the member for Sarnia, in his comments.

I am also encouraged to know that we have a new parliamentary assistant to the Minister of the Environment, my colleague the member for Brampton North. I welcome him to the position of parliamentary assistant. I know there will be times when he and I will obviously be into very heavy debate. I almost hesitate to start this morning by correcting him right away, but in fairness to him, on a personal basis I am happy he is there because I know he is an individual member of personal integrity in this Legislature. I mean that sincerely.

I hope he learns and fits into the role, recognizing that he now has one year's experience in this Legislature, which is just a little less than mine; I am not very experienced either. The point is that every single member of this Legislature shares the responsibility in terms of the environment. It is the single most important legacy we talk about in the future not only of this province, but of this world.

I hope we will, as we continue through the next three years with the Liberal government, have more than just policy statements being issued. I do not have to worry after the next four years of this Liberal government, because after that, fortunately, we will be the government and will be able to take action.

There is no doubt that in the past everything has not been perfect. I am not about to stand here this morning and defend everything the former government did, just as in reality no one else would, of any party at any time. It is not a perfect world, we are not perfect people, so we cannot have perfect governments. But what we have to have are governments that have political wills to take actions and steps when needed. When I look

at what the Liberal provincial government has done in the past three years, I must say we have had an awful lot of talk, an awful lot of issuance of statements and new policies, but not a lot of action.

I must say that I listened to my colleague the critic for the Environment this morning. I hope he will heed very closely my comments and then speak to his staff who helped him, I am sure, through necessity, to prepare for some of his comments.

First of all, I am glad he mentioned the environmental security fund, because the environmental security fund was in fact announced by Premier Frank Miller in his throne speech in 1985. He said, "After completing a comprehensive review of waste management practices initiated in 1982, my government has decided to establish a \$100-million environmental protection fund to clean up waste sites and provide stronger enforcement of our environmental regulations."

Subsequently, on May 22, 1985, the Ministry of the Environment made a submission to the policies and priorities board proposing that a cleanup fund be established. I say with respect that the Liberal government cannot take credit for the total subject of this fund. In fact, all they have done is follow the initiative of the former government, for which I commend them. I would be grateful, but the results we have seen have not exactly been active, stimulating or exciting.

The other area that I am glad the member for Brampton North mentioned is the fact that we do have to have, as part of the total waste management picture, recycling. Obviously the reason I am very pleased to hear him say that is because I am sure, as he is aware, one week from today in this Legislature we will be debating my private bill which would make it mandatory around the province for every municipality to offer recycling to its residents. I look forward to the support of the Liberal government for my private bill on recycling.

I would also add that when my colleague the member for York East (Ms. Hart), parliamentary assistant to the Minister of the Environment, talks about worldwide figures as high as 50 per cent success with recycling, in fact, in Austria it is 65 per cent. So we are looking forward to that kind of tandem solution to waste management and the crisis that is part of this debate this morning.

I hope too that eventually we will end up having a government—even for the next three years, this interim government for the province

of Ontario—that stops announcing funds charging around the province on a white horse. We have had so much of these kinds of campaigning and throne speeches, frankly, I find it a little dishonest. I find it a little unnerving that we do have this kind of dishonesty in some of the promises and some of the throne speeches.

We had a high-tech fund, for example, that was announced. It was \$100 million. About \$3 million of that high-tech fund was allocated. It is great to announce millions and millions of dollars to resolve housing problems in the province and then to find that the money is not spent. It is returned to general revenue and it is "recycled" the next year into another throne speech promise or, as in last year, another campaign promise.

I think too that as far as the promise of this minister is concerned, about where he would go if he could establish a superfund similar to the United States, we have got to look at the fact that now the minister is no longer talking about a fund for Ontario. He is in fact talking about a national fund. I think if the minister was really committed to the needs of this province on this particular subject, he would not have backtracked and would not now be looking for a national fund, again deflecting to another level of government. I think when he says that we are pressing for a national superfund to clean up old problem spots as they are discovered, that is very misleading on the part of this minister.

In other words, just as on the Sunday shopping issue, the government continues to deflect, where it has a problem, its responsibility to another jurisdiction. Is it not wonderful to have a government that says, "We'd better look at this nationally." Sure, it is a problem nationally, but it is also a responsibility and a problem locally in Ontario. I hope what we will see is some very real action behind the words and behind the promises and that, in fact, a fund will exist, as the motion says, that will be a remedial measure to a problem that is linked totally to the subject of waste management in the province.

I wish to leave some time for my colleague.

Mrs. Fawcett: I am pleased to participate in this debate on the need for a provincial superfund and would like to take this opportunity to expand upon the points mentioned by my colleague on the environmental security fund. In particular, I wish to expand upon how much money this fund has spent to correct the historical mistakes that have been left to the government to rectify because of the former government's inattention to environmental issues.

Currently, there are just under 100 projects being funded by this environmental security fund and some of those projects are extremely expensive. Let us just review how much has been spent to date for some of them. The government of Ontario has spent over \$66,000 for the Black Creek cleanup. Close to \$2 million has been spent on work related to the Upper Ottawa landfill site in Hamilton. We have spent over \$90,000 to date on the Niagara soil replacement program. The government has spent over \$700,000 from the security fund to provide an adequate response to the Kenora polychlorinated biphenyls spill. I am sure this spill is an event that all members of this House are familiar with.

1050

The security account has provided close to \$8.5 million in funding for the Pottersburg cleanup in the city of London. We have spent over \$27,000 to look at ways to improve the Paisley waste disposal site in Tiny township. The security fund has provided over \$300,000 toward the alachlor monitoring program to ensure that wells and water supplies are not contaminated.

In response to the leaking landfill site in the township of Sidney, the security fund has spent over \$1 million in an effort to remedy that situation by providing immediately alternative drinking water supplies and to build a pipeline for a future water supply.

Members are familiar with the Chippewa Creek coal tar cleanup. That project has required \$1.3 million to date and still the cost keeps rising upwards. Talking about large ticket items, the PCB cleanup in Smithville has cost just under \$5 million to date and that pricetag also keeps rising. So far, \$61,000 has been spent on the cleanup of the Uniroyal site at Elmira. As well, over \$17,000 has been spent to clean up the mine tailings in the Kam-Kotia mines.

The coal cleanup in the Ottawa River has cost the security fund over \$6 million to date. As well, the Scott Road township ditch study, a study that I am sure the leader of the third party is familiar with, has required over \$46,000 to date.

We have spent from the security fund over \$1 million under the Deloro program. As well, in an effort to correct the gasoline contamination of the drinking water in the village of Killaloe in Renfrew county, we have spent close to \$150,000 to date. Similarly, in order to protect the drinking water supply for the town of Bracebridge, we have spent close to \$500,000 under the security fund. Large sums of money under the Environment minister's direct grant program have also been expended on this project.

Of course, we must not forget how much money was required to provide a pipeline to safe, clean drinking water to the village of Smithville. That cost us just over \$3 million. In order to clean up the south Riverdale soil, we have spent to date \$4.5 million, and to address the Algoma slag heap in Sault Ste. Marie, we have spent over \$70,000. The Windermere basin has cost us over \$800,000 to date, and will undoubtedly cost more as the actual cleanup proceeds.

With regard to the recent coal tar investigations under way within this province, the resulting coal tar gasification and cleanup on the 11 high-priority sites is estimated to cost us between \$6 million and \$11 million per site. Currently, on these investigations, the security account has expended over \$300,000 for studies alone.

I could go on and on but I think the members here see my point. Most of the money spent so far under the security account has been to correct the mistakes and legacy of the past. This outlines only the expenditures incurred to date. It does not reflect the total, final cost for many of these needed environmental projects. Clearly, the cost of correcting mistakes after the fact is much more expensive than preventing them in the first place.

I would like to take this moment to address what I believe is a real need for a superfund at the national level. I hope the leader of the third party will encourage his federal cousins to establish such a fund. This government supports the development of a national environmental contingency fund. Preliminary data indicate that the need is clear and the cost to be incurred for the cleanup of the sites will be significant.

To be effective, the superfund must be national in scope. There is need for a consistent national approach and funding mechanism. That mechanism must be based on the polluter-pays principle to ensure a fair assessment ranking and cleanup of contaminated sites in Canada.

Because of the large number of contaminated sites and the estimated high cleanup costs, a consistent and co-ordinated approach will result in a more cost-effective management of cleanup activities. Certainly, such an approach would be welcomed by the general public.

The response to contaminated sites and the resulting cleanup has not been provided on a systematic basis in many parts of Canada. This is mainly due to the absence of national criteria. The acceptance of common evaluation and classification criteria and procedures for establishing cleanup criteria by all jurisdictions would promote consistency across Canada.

I am sure members recognize that the Ontario Minister of the Environment has been a leader in working towards the establishment of a national superfund.

During the October 1986 meeting of the Canadian Council of Resource and Environment Ministers, referred to as CCREM, it was the Ontario minister who recommended that a task force be established to address the development of an environmental contingency fund. This fund was envisaged to provide a rapid response mechanism where contamination posed a hazard to human health and environment. The fund would also provide long-term liability protection for hazardous waste sites and would be used for required cleanup at decommissioned industrial properties and cleanup of spills.

During the September 1987 CCREM meeting, the federal Environment minister tabled a feasibility study on the superfund. It was not good enough, and due to the urging of our Environment minister it was agreed to have a task force finalize the proposal for the fall 1988 CCREM meeting.

As a result, let me quote from the information release arising from that CCREM meeting: "The ministers reviewed the progress made since their last annual meeting and recognized that progress has been made in classifying contaminated sites across the country." After much behind-the-scenes work by this Minister of the Environment, it appears that a national superfund proposal is getting closer to reality." Of course, any assistance that the third party can provide in encouraging the federal government to expedite this proposal is appreciated.

I cannot support the member's resolution, as Ontario already has its provincial superfund. To use the member's own words, to be truly effective, a superfund must be national in scope.

The Deputy Speaker: The member for Sarnia has four minutes for his windup.

Mr. Brandt: Having heard the member for Brampton North in his maiden speech with respect to his new responsibilities as parliamentary assistant, I want to welcome him to his new portfolio and wish him well with his responsibilities, because he is going to have a lot to answer for in the next short while. I say that in light of the fact that time is very quickly running out for this government in terms of using the fabricated sins of the past and sins of omission and commission by previous governments as the only kind of response that it can put forward in dealing with the environment.

The reality is that this resolution before us today is the government's own resolution. They are voting against it. They are voting against the very thing that the government of this province promised to do on behalf of the people. I want to say to the parliamentary assistant that the reality is that the government has a minister in place who has not approved of one single landfill site in three years in this province, who is allowing the waste from Lester B. Pearson International Airport and from the Halton area to be shipped into the United States.

I simply ask the members opposite to answer this question in their heart of hearts: If New York state were shipping its industrial and/or municipal waste into Ontario, what would their response be?

Mr. Dietsch: That's not the resolution.

Mr. Brandt: Obviously, it is not. If it was, in fact, shipping its waste here, then members opposite would stand up in righteous indignation and talk about those terrible Americans dumping their waste on this pure province. The fact of the matter is members opposite are shirking their responsibility and they are passing their waste over—

Mr. Dietsch: Point of order.

Mr. Brandt: I have only two minutes. Why does the member not sit down?

The Deputy Speaker: Order. What is your point of order?

Mr. Dietsch: Could you please see that Governor Cuomo gets a copy of the transcript?

The Deputy Speaker: That is not a point of order. The member for Sarnia, please proceed.

1100

Mr. Brandt: That is the kind of unimportant, frivolous, unnecessary interjection that I can expect from the government members when they try to shirk their responsibilities with respect to their own election platform.

The reality is that we have a serious situation in this province dealing with existing landfill sites. Yes, there were problems in the past that had to be addressed; there were difficulties. When you have the most industrialized province in the entire country, then the complexity of the industrial waste you are going to deal with is going to be of a higher, more difficult and more complex order than industrial waste in some of the more agriculturally oriented provinces or some provinces that do not have the industrial development that we enjoy here in Ontario.

We have advanced more quickly than any other province. We were the first province in the

entire country to have a Ministry of the Environment. We were the first province in the entire country, quite frankly, to address environmental problems in a serious way; inadequate at the time, I agree, but we had made some very concrete moves towards cleaning up the environment and addressing those problems.

It is now time for this government to take the next logical step and simply do what it promised to do, that is, to start taking remedial action for some 400 sites, seven of which, I might add, the current Minister of the Environment (Mr. Bradley) has identified as being of critical importance. The parliamentary assistant knows this. I will be monitoring those seven sites to see what he does about them, because he has a responsibility to act now and not to blame previous governments or previous regimes. It is now his responsibility.

The Liberals are the government of the day, they are the ones who made the promises to take some action on environmental measures. We are waiting to see them do it. I am disappointed that they are voting against their own resolution and their own campaign commitments.

Mr. Wildman: Mr. Speaker, on a point of order: I would like to say that I think in private members' hour, it is incumbent upon all members of the House not to interrupt other members and use their time.

The Deputy Speaker: I appreciate that very much.

INTEGRATED RAIL TRANSPORTATION PLAN

Mr. Tatham moved resolution 40:

That, in the opinion of this House, the government of Ontario and the government of Canada should initiate the studies necessary to develop an integrated rail transportation plan for Ontario. Such a plan should embrace a concentrated program to improve the railway system and services with a primary focus of policy and developmental concern being with passenger services, also, the province should give specific attention to regional and local rail services within Ontario with particular attention being given to passenger services in southwestern Ontario and high speed rail in the Windsor-Quebec City corridor.

Mr. Tatham: The time has come to renew and improve rail passenger service in our province.

Canada is the story of a bold concept that built a railroad. From the very beginning, railways, politics and the development of Canada were inextricably entwined. Canada was like one big

gift, full of promise and wrapped in ribbons of steel. When Confederation finally came in 1871, a railway clause was written into legislation. To many, railways meant profit and progress, and no other single enterprise played a more vital role in Canada's development than the railways.

I believe railway transportation continues to have a vital role to play in Canada, and in particular, in Ontario. Independence, mobility and freedom are no longer terms to describe today's commuters. When you spend one and three quarter hours going across Toronto or two and a half hours travelling from Stoney Creek to Queen's Park—and we all have personal traffic jam stories—you are open to ideas and options that would let you leave your car at home. Improved and integrated passenger rail service could well be the best solution to commuting blues.

It is a big step. We all love our cars. The annual average kilometres per automobile in Canada is 20,000 kilometres. By 1985, there was a registered motor vehicle for every driver in Canada; that is some 16 million. Not even Wayne Gretzky could deke his way through the average Canadian rush-hour traffic. He would be just one of 16 million trying to get home, pick up the kids, make it to work on time and all doing the hesitation waltz.

Let's not hesitate about rail transportation, but let's be fair to it. Before we say rail passenger service is outdated, too expensive, unreliable, let us take the train. It is called Via Rail. Let us start with a comment by Walter Stewart. Here is an excerpt from *Uneasy Lies the Head: The Truth About Canada's Crown Corporations*.

In 1981, the federal government simply lopped off 20 per cent of Via's passenger traffic by a cabinet order, which was not announced until Parliament had started its summer break and members of Parliament were unable to raise objections. Via, of course, heaved a sigh of relief. The lines lopped were all money losers. Then, when the predictable screams of outrage built to a frenzy, Via was told to restore most of the dropped lines again, but not told how to make them pay. From the first, Via has been trapped, trapped with not enough money either to buy new equipment or keep the old stuff rolling. It did not. It does not even own its own tracks. Instead, it pays the other railroads trackage fees for the right to run its trains on their rails.

There is probably someone in the world who understands exactly how these fees are arrived at. Cynics believe they are drawn out of a hat and no low numbers are put into the hat. Canadian

National, a crown, consistently refused to disclose to Via, another crown, what cost data is used as a basis for its charges. "Trust us," they said. With that, Via had to be content. All we know for sure is that Via pays CN for using its trackage and maintenance much more than Via is able to collect from its customers for train tickets.

In 1985, Via paid a sister crown \$350 million and that year collected its all-time high for total passenger revenue, \$201 million. CN, a consistent money loser, before Via came along, now makes a profit, thanks to its Canadian rail subsidiary, \$105,532,000 in 1985, but Via does not, Via cannot and Via will not. It is an unfair shell game. The loss has gone out from under the CN shell and now nestles under the Via shell. The railway lives on subsidies, which hit a high of \$632 million in 1985 and it goes on. The taxpayer is left holding the pea.

How many of this House are driving a 1968 model car? Whoever was to blame, as Walter Stewart pointed out, by the 1970s passenger rail had become a cursing and byword in the mouths of transportation executives. CN and Canadian Pacific Railway were both coining money out of communications, hotels, real estate and even a little something out freight. Accordingly, the passenger services were allowed to run down. It became clear that the government could either let this process proceed to its natural conclusion; extinction, or step in.

In 1977, it stepped in to create a new crown, Via Rail Canada Inc. Its job was "to manage railway passenger services in Canada." CN was reconstructed and recapitalized. The railway had started with a long-term debt of \$2 billion, which by unceasing effort it had managed to run into \$2.2 billion over the 54 years between 1923 and 1977. Interest payment on this debt came to \$130 million a year. Then the accountants got to work. They converted \$808 million of this into equity and gave the crown a new lease on life. In return, CN agreed to pay the government a minimum of 20 per cent on net earnings annually. As dividends on this equity, in 1985 CN paid Ottawa \$23.5 million.

Overnight, CN was kissed into a prince. CN began to follow its written instructions to the Minister of Transport, which read this way: "It is the view of the government that CN should make every attempt to conduct its affairs with a commercial attitude and in a commercial manner." That being the case, there was no longer any reason whatever why CN should continue as a crown. It ought to have been privatized at once, but nobody mentioned that when Via was

in the throes of creation. The new crown took on the old one's passenger traffic, along with most of CPR's, although CPR retains some commuter traffic and the trains to run it with. What Via inherited was declining business, a lousy reputation and several rail-yards full of decrepit stock, for which it paid \$67 million.

1110

Since then, the corporation has received capital grants in dribs and drabs to buy new equipment, stations and repair yards but never enough to do its job properly. In all, it has received about \$1 billion. That is less for the entire system than was sunk into Mirabel and some of the money was not wisely spent.

Between 1981 and 1985, Via Rail paid out \$225 million for a fleet of light, rapid, comfortable LRC trains, that turned out to be even more prone to break down and conk out than the 1957 clunkers it had inherited. Via officials kept explaining that the US-made LRCs were just going through the kinds of breaking-in problems to be expected with any new technology. That may have been true, but it was cold comfort for abandoned passengers.

In 1984, the transportation commission noted, "Via possesses two fleets: the largest being old, conventional equipment which is expensive to maintain and is unreliable, and a much smaller new fleet (LRCs) which is also unreliable and expensive to maintain."

Mr. Wildman: Either way they lose.

Mr. Tatham: You are right.

The passenger cars, the report went on to say, biting its lip, "are functionally obsolete both before and after they receive maintenance." Via does not have enough equipment, which means that when something breaks down, it takes time to replace it, so schedules become mere guesswork. Even when it has the trains, Via cannot be sure it can run them.

It is at the mercy of track maintenance programs carried out by Canadian National and Canadian Pacific railways in the summer, the high season, and if a passenger train and freight train are on the same track, it is the passenger train that must pull off and wait for the freight to pass. CN and CPR have their own priorities and quite properly put them first while the passengers wait. There is a good chance they will be parboiled because just as Via's old steam heat tends to fracture in the winter, its air conditioning tends to pack it in during the summer.

To buy a new set of trains for the Toronto-Montreal corridor, where 52 per cent of Via's passengers are carried and where it has its only

chance to make a real profit, would cost \$2 billion. Via is not going to get \$2 billion, in part because it is a crown corporation, without friends in the pits where bureaucratic infighting takes place and the money is doled out. Via is the opposite of, say, Atomic Energy of Canada Ltd. or Ontario Hydro. It is a crown stuck with the disadvantages of distance from government and yet compelled to follow political direction.

All these grim facts may not sound like much of a sales pitch for an integrated rail transportation system, but it is an insight into the current woes facing the system.

In a May 2, 1988, story in the *Toronto Globe and Mail*, Via president Denis de Belleval said, "Via's transcontinental cars are 30 to 35 years old and its equipment is, on average, more than 20 years old. We have locomotives running between Montreal and Quebec City that should have been retired 15 years ago."

Bleak prospects? Not necessarily. There are different options, but one activity that is taking place in some countries in the world is improved rail service.

Let us consider briefly the development of high-speed passenger rail technologies that have taken place in France, Great Britain and Japan. For our purposes, high-speed rail is defined as "systems with maximum design speeds of 125 miles per hour and above."

In the mid-1960s, the Japanese chose to construct entirely new tracks and equipment, because they had no alternative. The bullet train between Tokyo and Osaka made a profit and repaid capital investment costs.

Great Britain decided in the early 1970s to introduce high-speed service. It chose to employ conventional technology and design trains with maximum speeds of 125 miles per hour, that could share existing track with freight and commuter trains.

As for France, to ease severe congestion on the Paris-Lyons line, the French built a new high-speed track through sparsely populated country between Paris and Lyons, where the line connects with existing track on the outskirts of the two cities.

The basic technology options for high-speed rail service include a combination of equipment, track and propulsion systems. The cheapest capital cost for high-speed service results from diesel-powered conventional equipment on existing track at a maximum speed of 125 miles per hour.

The most expensive option is to use electrical-ly powered high-speed trains on completely new

tracks at speeds well in excess of 125 miles per hour.

The construction cost of the French TGV line was reported to be \$4 million per mile. The two latest sections of the Japanese Shin Kansen are estimated to have cost about \$35 million to \$40 million per mile, principally because of the extensive tunnelling and viaducts required in Japan. The upgrading of the northeast corridor in Great Britain has cost between \$4.5 million and \$5 million, with an additional \$2.5 million per mile for electrification.

High-speed passenger rail systems require high ridership to generate enough revenue to cover most or all of operating costs, let alone capital costs. Thus all existing foreign high-speed rail services have been introduced on corridors serving major population centres. High population and high-population densities are probably the most important characteristics of a potential high-speed rail corridor, because they make possible the ridership level and the support for the local transit infrastructure required for successful high-speed service.

The public benefits often cited for high-speed rail service include: first, increased transport system capacity mobility; second, reduced congestion in highway and airport ground traffic and other environmental gains; third, energy efficiency, economic development and employment; fourth, safety.

Other countries have done it. I am sure some of the members in this House have travelled on one of these trains. We can do a better job for our travelling public. One morning this past summer I took the 7:30 Via Rail train from Toronto to Belleville. It was a new rail car. It was on time. I had a smooth ride, courteous service, fruit cup, muffin; all in all, a good trip. Would it not be a real plus for the travelling public if we could have quality, on-time, frequent and fast rail service in Ontario?

I think the press reports, letters to the editor and editorials all suggest that our passenger rail service in Ontario should be improved. Any person who is in business, if he wants to stay in business, has to make a profit or close the door. What should we do? When the traffic is moving we are happy, but when we are sitting in a stop-start, slow situation, we all begin to think there must be a better way. The Toronto Transit Commission and the GO Transit system are under duress now to service the Toronto-area commuters, yet commuting distances are increasing as Toronto housing prices increase. People are commuting twice daily from Hamil-

ton to downtown Toronto jobs and from other places in the province.

The GO Transit system works. According to a recent article in the *Passenger Train Journal*, April 1988, "Obviously, no matter what happens in other parts of Canada, Toronto's commuter rail operations will remain the envy of many other North American cities. "GO Transit gives sensible, reliable service and its ridership is up.

I have been told that 60 per cent of the people in downtown Toronto arrive by subway and bus, and another 10 per cent by GO train. What kind of development would you have in Metro Toronto without the subway and without GO Transit?

But look beyond today. What are the options for tomorrow? What about going from Windsor to Toronto? What about going from Ottawa to Toronto? You can drive, you can fly, you can take the bus and you should be able to take the train. In a speech given to Transport 2000, Denis de Belleval, president and chief executive officer of Via Rail Canada, said, "We are currently studying all our services and we are analysing each and every option to enable us to present the Canadian government with a vision of rail passengers in Canada for the year 2000."

I have a confirming letter from Via Rail corporate planning, dated August 16, 1988, stating that "right now, market research is being carried out to survey the needs and preferences of the travelling public and to provide the basics for developing demand forecast for all of the possible roles, etc." While I applaud its activity, if there is going to be another spike driven into passenger rail service, I want all of us to think long and hard about it.

We have a fundamental and crucial choice facing us, either drive a positive, forward-looking spike for the proper development of the rail passenger system, or by our neglect, disinterest and single-minded focus on the automobile, allow fiscal and policy constraints to drive a stake in the heart of our rail passenger system.

It represented a significant portion of our past. It could play a significant role in our future. Rail passenger service is still a bold concept that can help build a country and a province. The present Via Rail system seems to be a Sisyphean system. Our citizens deserve better. We must do better. I welcome you all aboard for this resolution.

1120

Ms. Bryden: This resolution calls for nothing but studies by the provincial and federal government to develop an integrated rail transportation

plan for Ontario with a primary focus on passenger rail service. I think everyone in this House will support such a motherhood resolution. More emphasis on passenger rail services has been part of New Democratic Party policy at both the federal and provincial levels for many years, but I think the mover and the others in the Liberal Party who may vote for this resolution today have a mammoth job on their hands to change the present commitment of the Liberal government, which is to passenger automobile services.

We do not need studies; we need a change of focus by the Minister of Transportation (Mr. Fulton) and the government. If you examine the government telephone book, for the Ministry of Transportation you will find that rail transport has no listing in the selective table of contents for the ministry, and the "rail office," which appears on page 485, has seven people listed in it. Only one of these people is a transportation analyst. There are three research engineers listed on page 484 under "rail technology," but it is not specific whether they work for the rail office or for whom they work. The KWIC Index to Services, on page 506, says, "The rail office develops provincial policy on rail matters, and maintains close contact with railway companies, shippers and regulatory authorities."

This government has not built a railway since the turn of the century and its main role seems to have been to rubber-stamp federal rail close-downs, such as the Cataract to Elora line last March. It is true that building railways is a federal responsibility, but certainly promoting a focus on passenger rail transport is a responsibility of this government. The amount of attention it gets in the phone book and the KWIC Index indicates the government has no commitment to developing greater use of passenger rail services.

I also ask the mover and his colleagues to look at the makeup of the Ministry of Transportation. All the major branches headed by an assistant deputy minister are concerned with road building, road safety, road traffic control, interurban and urban bus service and financial aid to municipal road and public transit services.

I will say that the previous government of Progressive Conservatives built more public transit than the present government has built since it came in three years ago. The phone book indicates that the overall commitment of the ministry is to the automobile and to automobile transport. For example, the ministry appears to be supporting the Leslie Street extension and Bayview Avenue widening, which simply funnel

more auto traffic into the downtown of Toronto. The minister is apparently subsidizing these extensions under his cost-sharing formula for assisting arterial transportation initiatives by municipalities.

His latest commitment to improving transportation is to spend millions on electronic controls along Highway 401 and the Queen Elizabeth Way to speed up the entrance and exit from these expressways. His policy paper issued early in the year is mainly on how to close the gaps in Metro Toronto's road transportation networks, but it drops the Sheppard Avenue subway. I think the member has a major job on his hands to change the focus of government. I think this resolution will not have very much effect on that unless he does it within his own caucus and within his own making of party policy.

One of my constituents, Ross Snetsinger, has been writing articles and letters to the Premier (Mr. Peterson) and the Minister of Transportation on the importance of maintaining and extending rail transport in this province. He points out that it is the least polluting and most energy-efficient form of transportation and can even be made pollution-free if the proper equipment is used. He warns that our present focus on auto traffic has had a serious impact on the ozone layer. I commend his proposals to the mover and the government and urge them to study Mr. Snetsinger's articles.

I also suggest that they look at his proposal for a provincial railway branch line futures agency. He points out that there are 26 rail lines in this province that will be closed down or become tourist attractions only if such an agency is not set up. He puts it in the context of province-wide initiatives needed both here and at the federal level to save our environment from the growing greenhouse effect of the present automobile-oriented society.

I also urge the mover and the members here to look at the real causes of our ecological crisis resulting from transportation. They relate back to the overdevelopment of our agricultural and other land in the Golden Horseshoe area and the condoning of municipal zoning which allows huge lots, urban sprawl, and does not encourage the intensification of housing close to our city centres. This is where the Ministry of Transportation, the Ministry of Housing and the Ministry of Municipal Affairs have to get into the act if we are to save our ecology and get pollution-free transportation.

The motion before us will not do that. It is simply another call for another study that will

take up a lot of time, instead of changing the focus of the ministry to one that will emphasize that we have to get more people out of their cars and more into both passenger rail and public transit of all kinds than is being done by the present government. They may say that GO Transit is getting people out of their cars. It is, to the extent that there are enough lots where people can park their cars before they use GO transit. But we have to remember that GO Transit is subsidizing a lot of commuters who have bought these huge-lot houses or who are being forced by the cost of houses in the city to move great distances.

It would be much better to go in for more housing intensification within the cities and the Metro area and not have to subsidize GO Transit to that extent. It is using federal railway lines but they are not being preserved. They may be closed down. That is why we cannot rely very much on the extension of GO Transit through rail service. We have to see that GO Transit is not used by developers as a means for selling houses far beyond the area of Toronto, when there could be much more intensification of housing within the Metropolitan Toronto area.

1130

Mr. Cureatz: It gives me nothing but great pleasure to stand in my place representing all those fine people of Durham East, as I have had the honour to do for a number of years now, and speak to the honourable member's resolution. I want to say unequivocally that I am nothing but totally in favour of his proposal.

I can only say that nothing more would be expected of me than supporting one of my former seatmates, albeit he was way over here on the Liberal rump. But let it be a precedent to all members in some future time to support a former seatmate when he has an interest in a proposal, whether members particularly like it or not or, for that matter, whether it is of their same persuasion or not.

The resolution is an all-encompassing idea that has been discussed for a number of years. I can remember back to my old days as a backbench government member. I will not go into that speech this morning, though. I was way back, actually right about where Baloney is, when Margaret Scrivener had been given this big responsibility of doing an in-depth study on rail transportation in southern Ontario. She ran around for about six months and suddenly after six months stood up with this big announcement, a lovely, big stack of books about how the rail system should be improved.

Interjection.

Mr. Cureatz: Oh, has the member got it? Is that the one? I thought it was in green. It was in black and red, was it?

That was the end of it. I have to admit we were the government. The member for Algoma (Mr. Wildman) was giving us the devil in the previous resolution. I was not so happy about the manner in which some of the things were going, but I remind the member for Algoma that those guys are the enemy now. We are in third place. How much more does he want? Does he want us to be wiped off the map? He just cannot stop sticking in the knife, can he?

Interjection.

Mr. Cureatz: All the Liberals are having fun? Does the member want to talk about the federal Liberals? Does he want to put that on the plate this morning?

Interjections.

The Acting Speaker (Miss Roberts): Order.

Mr. Cureatz: Well, let's talk about trains. I have had the opportunity of having some experience with rapid transportation, namely, the GO rail system. I can only suggest to the honourable member that maybe we should be concentrating on some practical aspects before we get into the overall concept of southern Ontario, which is indeed noble. On a specific basis, I can tell members that we have some problems right now with rapid transit systems.

Of course, when we were the government, Jim Snow was the perennial Minister of Transportation and Communications. I have to congratulate Bill Davis and those cabinet members who tried to expand the GO rail system, and in fact did. Its success, I think, has proved that indeed people are waiting and willing to use a mass transportation system to get into downtown Toronto.

More particularly, of course, I have a working familiarity with east of Toronto, towards the Pickering, Whitby, Oshawa, Bowmanville and Newcastle communities, because there has been great talk for a long time of extending the GO rail system to the east of Oshawa, to the riding of my colleague the member for Oshawa (Mr. Breaugh), near the Holiday Inn, Highway 401 and Harmony Road.

The interesting thing was that when Bill Davis was around he was pushing this advanced light rail transit system—I think that was what it was called—these little trains that go around in circles. They have one out in Scarborough. When I was down in Windsor with the Sunday shopping committee—I will save that speech for another

time—I could see the little train going around across the river in Detroit.

He came up with this idea that he would have this little train starting from Oshawa. You would ride to Pickering, get off the train, jump on the GO train, ride from Pickering to Toronto, get off that and walk to work or take the subway. He and his cabinet colleagues were not familiar with commuting. They were too used to having chauffeur-driven limousines. If they had had any idea about commuting, they would have appreciated that it would be a very hard system for people who wanted to use a mass transportation system. You get on the train and suddenly you have to get off the train and get on another train. You get on that train and you have to get off.

In any event, after he left and that ALRT system was set aside, George McCague was Minister of Transportation and Communications. He did the sensible thing and announced that it would be a full GO rail system from Pickering out to the Oshawa area, but the first stage would be to Whitby at the Brock-401 interchange.

That, strangely enough, has had some slow molasses put to it. I suspect it is only because of the Liberal administration. For the two years of minority government, they dragged their feet. They were trying to make as much hay as possible.

Mr. Callahan: That's a mixed metaphor.

Interjections.

Mr. Cureatz: That is right. And do you know what happened? They were hoping they would get a member or two elected out that way so that they could say, "Elect a Liberal member and you will get the GO train system." If I recall, during the election there was a great fanfare. The member for Durham West (Mrs. Stoner) was there, laughing behind the Premier. The member for Durham Centre (Mr. Furlong) was there. There was a big announcement, "The Premier is finally bringing the GO train," notwithstanding the fact it was on the books for four or five years. He was just making another announcement.

I have to say I suppose it proved to have some success, because we got two Liberal members from out that way taking the credit for the GO rail system, but I tell them it is hurting them now, because it should have been running a long time ago and they have just been playing around with it. Let me tell them—I will be letting the press know our way—that it is not going to work too successfully yet.

It is good that it is finally coming out to Whitby, I say to the member for Durham

West—she can pass it on to the member for Durham Centre—but do you know what? I stopped the other day, because I plan on using it, and I asked one of the workers there who was fixing up one of the handrails on the steps. I said, “How many parking spots in here?” He said, “A thousand.” Do you know what? A thousand is not going to be enough.

At Pickering, it is already glutted. I went there once to try to park. If from Pickering they move to an industrial site, the industrial site is about a half-hour walk to the GO train station at Pickering and it is glutted, so they are hoping, and I am waiting to see, if the opening of the other two or three stations east of Pickering is going to alleviate the parking.

I suggest that it is not going to and that they have underestimated the value of this resolution, and that is for the use of a commuter rail system, and people are attuned to it. For those members who are driving in those kinds of hours, the traffic from east of Toronto along Highway 401 from Oshawa and Bowmanville into Toronto is horrendous now, and people will be using a rail system, something that the resolution purports.

Of course, I am mildly amused—if you want to see some fancy footwork here, Madam Speaker, in the two and a half minutes left—it says, “a concentrated program to improve the rail system and services.” We can expand a little more on that, because we do not have to talk about commuter services; we can talk about the transportation of other items.

Someone said to me yesterday, “Sam, are you up for another garbage speech?” I said, “You’re darn right I’m up for another garbage speech.” Let them just keep talking about Sam and the garbage speeches, because I want to say to the member that we could be thinking about how this Liberal administration is not handling the garbage crisis. They could be working garbage trucks into this resolution on saving the commuter system and looking at an overall policy of putting garbage on a rail system and commuting the garbage to the appropriate place, which has yet to be found as we have heard time and time again.

As recently as yesterday—here it is in the Toronto Sun I think it is—more talk about the crisis in the garbage situation, in that Durham region has said no to Metro Toronto, “Metro, you’re supposed to be looking after your own garbage.”

I am a little suspicious. Elie Martel used to say, “I’m not from Missouri.” I knew he was not;

he was from Sudbury. So I am going to say I am not from Missouri.

The point is I think there are some politics going on at the region. Maybe the chairman of the region, hoping to get re-elected, will look strong and emphasize the fact he is fighting for Durham; therefore, put him back in as the chairman. The great Liberal that he is, he ran the campaign for the Liberal candidate against me, I might add.

Notwithstanding that, we still have the garbage crisis out our way and the Liberal administration is not doing anything about it. I was talking the other day about a plan, an overall concept, and do you know what? We could be working in a rail system in terms of getting at all of these tragedies in the various regions around southwestern Ontario organized to handle the garbage situation that is taking place, following the resolution about getting action and co-ordination.

But do you know what? We do not hear a thing about it, not one iota. The Minister of the Environment (Mr. Bradley), time and time again, has said here—

Mr. D. R. Cooke: On a point of order, Madam Speaker: I draw your attention to rule 19(d)2 of the standing orders and would suggest that the member stay in line with the terms of the resolution.

The Acting Speaker: The honourable member tried at all times to bring all his comments back to the resolution, in the best possible manner he could. His time has now expired and I believe he has had the opportunity to express himself fully.

Would any other honourable member wish to participate in the debate with respect to the resolution? The member for Kingston and The Islands.

1140

Mr. Keyes: It is a great pleasure me for me to stand in this House and support the resolution of the member for Oxford (Mr. Tatham). I do so for a number of reasons. The first is to acknowledge the great thoroughness and the depth in which he does his research in preparation for resolutions, and also, particularly, his usual relationship with some form of humour in it.

I had the privilege of getting a copy of his original notes for this, and I was disappointed to see that the one line he did not put into it, in order to bring back the relativity of his humour and the rest of it, was his closing line, “Had it been available way back then, I’ll bet that Sam McGee from Tennessee would have chosen a Via Rail

high-speed rail train instead of a dog team to get to the marge of Lake Lebarge.”

I certainly also want to give my wholehearted support for the role that Via Rail does play in moving substantial numbers of customers, approximately six million passengers per year, back and forth across this great country.

The third reason is my appreciation for the problems that have confronted Via since its formation as a crown corporation in 1977 and the steps that have been taken over the years to alleviate the majority of those problems. This appreciation on my part was heightened during the four years that I served on Via Rail's advisory council, which acted as a liaison committee between Via and the consumers of the province and was a forerunner of the numerous community liaison committees now in existence.

I also had an appreciation for what an efficient, on-time, high-speed rail service can provide in other countries—Japan, France and Britain—because during my term at the National Defence College in 1980 and 1981, I had an opportunity to ride the Silver Bullet from Kyoto to Tokyo, the French Paris-to-Lyons line and also the lines that operated out of the British system from London. More important is my own utilization on a very frequent basis, since becoming a member of this House in 1985, of the system that is currently in existence, using it to come up here every Sunday evening and then on Thursday, like tonight, being able to climb aboard at 4:40 p.m. or 5:55 p.m. and arrive in Kingston two hours and 10 minutes later, refreshed, nourished and ready for constituency activities.

I support a resolution that has the thrust of providing better service to areas of the province where ridership can be increased and where improved service would enhance the opportunities of commuting between major population centres while at the same time reducing the demand on our highways and, consequently, reducing the pollution created by the internal combustion engine.

I believe it would be beneficial, however, to spend a few moments this morning on certain of the positive aspects of Via's operation; namely, the ridership statistics, the improved service to the riders, the equipment upgrading and other issues of interest to this House.

A glance at Via's annual report of 1987, which I hope everyone has perused—members have this in their offices—will show that for the last five-year period ridership has remained fairly constant at approximately six million riders per year, reaching a high in 1985 of seven million

people. Despite an unexpected event in 1987—namely, a strike between Canadian National and Canadian Pacific—that had no financial impact on the net revenue for Via Rail. While a loss in revenue of about \$6.3 million was occasioned, this was offset by equal savings in operating expenditures.

The year 1988 has been a very strong one for Via, with the overall passenger volume up approximately 10 per cent from last year, as reported in the annual report. In our eastern corridor, from Toronto to Quebec, the passenger volume has risen by almost 18 per cent. In southwestern Ontario, it has increased by five per cent. I know this is a figure that the honourable members in support of the resolution would like to see increased in the future. Overall, Via expects the growth to continue, but perhaps at a somewhat lower rate, in 1989.

Just out of interest, Kingston now happens to be the third-busiest rail station on the entire Via Rail line.

Via has undertaken a number of steps in the past year to improve customer service. A customer service department was created in the fall of 1987. This now groups together the vast majority of the employees dealing directly with the public. A better Via first-class service in our Quebec-Windsor corridor was started in 1987, which features special check-in and boarding privileges, complimentary beverages, full-course meals and complimentary newspapers and magazines and, if you have used it recently, a brand-new Via Rail lounge in Union Station here in Toronto. As well, all the coach passengers on trains in the Montreal, Ottawa and Toronto triangle now receive a complimentary snack and nonalcoholic beverage; very much like you see on the planes criss-crossing this continent. Eventually, all of Via's network will receive the same type of benefit.

One of the other great improvements is that Via has signed a contract with Cantel Inc. to install cellular phones in all of the light, rapid, comfortable train systems. This, again, is in the Montreal-Windsor corridor. The three-year contract was signed after a trial period of several months and installations began in November. Now you may use them with a credit card anywhere in the corridor at the regular cost you enjoy with your cellular phone within your own automobile.

We have also expanded Via Rail services this year by new weekend frequencies on the routes between Toronto and Ottawa and also between Montreal and Ottawa, providing the opportunity

for persons working in those cities to move back at night-time.

One of the greatest areas of need, of course, was in the field of equipment. As members know, in 1987 \$361 million was approved for capital improvements. This has enabled Via to purchase new equipment, refurbish the existing stock and expand its maintenance network. Thirty new high-powered locomotives were delivered in 1987; another 29 will be delivered by the end of this year.

Also, they are modernizing 190 cars used in the transcontinental services. A \$90-million contract was awarded last September to modernize 155 stainless steel cars. Likewise, a further \$30 million should be awarded shortly for some 35 additional cars.

My one great concern was the fact that when this Ontario government sold the Urban Transportation Development Corp. to Lavalin Inc., it had been anticipated that the majority of that renovation-refurbishing would have been done in the Kingston works of UTDC. Unfortunately, it was not the low bidder when final decisions were made and that was done elsewhere by Canadian National and Canadian Pacific yards.

We did know that the maintenance factors have been improved upon because there is now a new maintenance facility in Toronto that was opened in 1985. Also, the \$100-million first phase of a Montreal maintenance centre opened in 1987, which will be completed this year for an additional \$30 million-plus. Three other smaller centres are being constructed in Halifax, Winnipeg and Vancouver.

These are just some of the initiatives which have been undertaken by Via in order to provide an improved service. The whole aspect of running Via trains on CN and CP lines has always been a difficult one. The transfer of stations to Via likewise has almost been completed, but they have coped well in dealing with the problems that have been placed before them.

In supporting the honourable member's call for renewed and improved service in this province, I want to draw to the attention of the House the decision and commitment of the federal cabinet in 1987 that Via Rail would have a thorough review of its operations in 1988 and 1989. In addition to their capital funding of some \$36 million, this review should provide us an opportunity to see how, once again, Via Rail services can be improved.

I trust that this government, through its appropriate ministry and any of the other available channels open to it, such as Transport

2000, such as the honourable member himself perhaps in making representation, will make known to this federal review the sincere interest of the citizens in this province in utilizing an efficient, rapid, on-time rail service.

Mr. Speaker: The member for Sault Ste. Marie, for up to eight minutes.

1150

Mr. Morin-Strom: I will probably not go for that long, so we can get on at least another speaker.

I would like to endorse this resolution. The resolution does address an area of transportation which we do not talk a lot about in this House, and that is rail transportation. We have a very strong focus in terms of highway transportation, we sometimes get into some of the issues having to do with air transportation but we do not spend much time looking at what rail transportation services should be provided by Ontario.

Perhaps historically that has happened because the federal government has, over the years, taken primary responsibility for the overall transportation network in the country. Certainly, we have seen the very serious deterioration of that network. In most recent years, the deregulation of transportation services has resulted in serious cutbacks in services and numbers of lines. Today, we see numbers of rail lines, potentially some 26 existing rail lines in Ontario threatened by deregulation and the right that is providing to the major rail companies to close down lines with a much easier process than they could previously.

The Ontario government has a very important role to play in terms of our overall transportation network. Certainly, they should be looking at the example of what other countries have done in terms of providing adequate networks, particularly in major urban areas such as the Metro Toronto area and the other heavily travelled routes around southern Ontario.

If one looks at what has happened in Europe and Japan, they use rail transport, including very rapid transport, high-speed rail lines, extremely effectively to provide a major portion of the transport of citizens not only from community to community but on a daily basis in terms of commuting to work.

The development of the Golden Horseshoe area has put serious constraints on our highways. They are congested, we have serious pollution problems and we face major expenditures if we are going to get the highways up to the capability of the demand that is on them today. One of the ways we could relieve that demand quite

considerably is to put a new focus on the possibilities of the rail transport system down in this area of the province.

I believe this is an issue the Ministry of Transportation has not looked at seriously in the past. I would hope that as a result of this resolution we would see a serious focusing and some staffing put into that area. As a result of the studies proposed here, hopefully, we can come forward with some concrete new investment in terms of rail transport lines that will serve citizens right across our province.

In northern Ontario, we have seen phasing out of rail lines over the past several decades. In fact, in my community, Sault Ste. Marie, we no longer even have a passenger rail service connecting with the other major communities. We have only the small Algoma Central Railway line, which is primarily a tourist operation; we no longer have the rail passenger service along the CPR line from Sault Ste. Marie to Sudbury.

Many other communities are going to face that same problem if Ontario does not step in and see that the service is provided in areas where the federal government has obviously abandoned its rights and responsibilities to provide citizens with that alternative mode of transportation, a mode of transportation that still is very successfully and very efficiently used in countries around the world.

I know that a country like Switzerland today has an extremely efficient system covering all the communities in the country, a system which is clean because it is 100 per cent electrified. There are none of the pollution problems associated with our highway systems and perhaps some of the problems which may have been associated with rail in the distant past.

I would suggest that this resolution could have been a stronger one in terms of demanding specific action from the Ministry of Transportation in Ontario, but it is a start in the right direction. I would hope that, with the passage of this resolution, the Ministry of Transportation will get on with the job of providing adequate, efficient services for the people of our province so that they do have the kind of world-class transportation system in the rail area that they deserve.

I think I will terminate at that point and let one of my colleagues have another chance.

Mrs. Marland: I would like to congratulate the member for Oxford and suggest to him that the intent of his motion is forthright, it is sincere and, if it should be supported by his own

government in real terms, it will have far-reaching benefits to the people of this province.

I also have to make just one comment in response to the member for Kingston and The Islands when he referred to the sale of the Urban Transportation Development Corp. Obviously, I am sure he realizes that was the first big mistake his government made since coming to office, but that is history and, unfortunately, it was a big loss to our province.

I hope that as part of the studies to implement this motion the province and the federal government will look very closely at what goes on in Europe. They have a tremendously sophisticated electrified rail system and the alternatives for transportation in Europe simply are not needed, because they have a working, reliable system. I only wish this Liberal government in Ontario would plan very soon to electrify our GO Transit lines that exist, particularly the Lakeshore line, which comes out through my riding. That is not a parochial comment, since the Lakeshore line goes through about six ridings to the west of Toronto and, of course, those ridings out to the east to Whitby.

The fact is that the Queen Elizabeth Way, with its thousands of cars and increasing monthly, is not an alternative for people who have to commute. Because there is no available land to widen the Queen Elizabeth Way, we are going to have to look at increasing the number of rail stations on the Lakeshore line, and the only way that can be done, I am told by the chairman of GO Transit, is to electrify the line.

We hope this is the beginning of very good things.

Mr. Tatham: I believe it is the second verse of Auld Lang Syne where Robbie Burns says, "And here's a hand my trusty fiere, and gie's a hand o' thine; and we'll tak a right guid willie-waught, for auld lang syne," which means, here's a hand; thank you very much for your support from Beaches-Woodbine, Durham East, Kingston and The Islands, Sault Ste. Marie and Mississauga South.

An hon. member: Robbie Burns knew them.

Mr. Tatham: Robbie Burns knew them.

Looking to the 21st century, we who live in the Great Lakes basin can expect continuing growth. We must ensure that we take the necessary actions now to help prepare the proper infrastructure.

I thank members for their kind support.

Mr. Speaker: That completes the business for this morning, except to put the question.

1205

WASTE DISPOSAL

The House divided on Mr. Brandt's resolution 43, which was negatived on the following vote.

Ayes

Allen, Brandt, Bryden, Charlton, Cooke, D. S., Cunningham, Cureatz, Eves, Farnan, Harris, Jackson, Johnson, J. M., Laughren, Marland, Martel, McLean, Morin-Strom, Rae, B., Reville, Runciman, Sterling, Wildman.

Nays

Adams, Brown, Callahan, Campbell, Carrothers, Cleary, Collins, Cooke, D. R., Daigneler, Faubert, Fawcett, Ferraro, Fleet, Keyes,

Kozyra, Lipsett, MacDonald, Mahoney, Mancini, McClelland, Miller, Offer, Owen, Pelissero, Poirier, Ray, M. C., Reycraft, Roberts, Smith, D. W., Stoner, Tatham, Velshi.

Ayes 22; nays 32.

INTEGRATED RAIL
TRANSPORTATION PLAN

Mr. Speaker: Mr. Tatham has moved resolution 40. If there are any members opposed to a vote on resolution 40, will they please rise? Seeing none, is it the pleasure of the House that the motion carry?

Motion agreed to.

The House recessed at 12:09 p.m.

AFTERNOON SITTING

The House resumed at 1:30 p.m.

MEMBERS' STATEMENTS

RETAIL STORE HOURS

Mr. Farnan: This is an arrogant Liberal government. Yesterday, I introduced a private member's bill that would have required members to sit on Sundays for six to eight weeks. We witnessed the government killing the bill on first reading. This is even more radical than the closure of debate. It attacks the fundamental cornerstone of democracy. It stifles and kills debate. Not only do the Liberals not listen to the people of Ontario when they express overwhelming support for a common pause day; they crush debate on a proposal that was expressed by several delegations in the course of our hearings.

We witnessed yesterday the Premier (Mr. Peterson) refusing to answer substantive questions from the member for London North (Mrs. Cunningham) on the issue of Sunday shopping by hiding behind flippancy and cheap male chauvinistic remarks. We witnessed yesterday from the Minister of Labour (Mr. Sorbara), who has consistently refused public hearings on Bill 162, that the government apparently accedes only after a disturbance of injured workers provoked by frustration.

This is truly an insensitive and arrogant government. The people of Ontario were certainly fooled in the campaign of 1987 when Mr. Peterson campaigned on an open and accessible government—the image of David Peterson with sleeves rolled up, tie undone, very approachable. By their actions, you will know them. This action and this government are insensitive and arrogant.

Hon. Mr. Conway: On a point of order, Mr. Speaker: I want to make very clear that the government members voted against the introduction of first reading of the honourable member's bill precisely because his own colleagues voted against the introduction on a voice vote here yesterday afternoon. In doing so, we simply agreed with his own colleagues. Let it be very clear what we did and why we did it.

Mr. Speaker: That is not a point of order.

Mr. D. S. Cooke: On a point of order, Mr. Speaker: I have a different point of order that I would like you to listen to, as you did the government House leader's today and yesterday. The point of order simply is that we wanted members opposite on record on the Sunday

shopping issue. That is why we forced a vote yesterday. We saw where they stand, and they stand the way they have stood for quite a while now: To hell with the public; they do what they want to do.

Interjections.

Mr. Speaker: Order. I remind members that they have used up most of the time for members' statements.

I would like to remind the first member who made a statement that when you refer to members in this House, you refer to them by their riding or ministry.

Mr. Harris: On a point of order, Mr. Speaker: You made the comment about members' statements time, and I ask for unanimous consent to restore the members' statements time. What caused the problem with the statement time was a clear, knowingly out-of-order, very provocative interjection to use up time that is for the backbenchers.

Interjections.

Mr. Harris: Do you notice all the cabinet ministers speaking? That time is not just for noncabinet members. It is for all the backbenchers of this House.

Mr. Speaker: Thank you. I certainly heard the request, and any member has the right to make a request. I will ask the House how it wishes to handle it.

Agreed to.

SCHOOL ACCOMMODATION

Mrs. Cunningham: My statement is directed to the Minister of Education (Mr. Ward). I was pleased to hear that the minister has finally made the long-overdue announcement that a site has been approved for a new separate high school in London. However, a site without a school is as good as a classroom of students without a teacher.

In the minister's press release, he stated that the capital needed to build the new school will be considered when the board submits its 1989 capital expenditure forecast. That is too late.

The minister has known for almost two years now that London has desperately needed a new separate secondary school. He has not yet made a firm commitment to provide the necessary capital funding.

As a result, construction of the school cannot start until the fall of 1990 at the earliest. Students will not be able to use the new facility until 1991, meaning a whole generation of students will experience high school from the inside of portables. In fact, the situation is so critical in London that the separate school board has again been forced to ask to use Oakridge Secondary School for at least two years.

Today's headline in the London Free Press reads: "Catholic Board Wants Loan of Oakridge Space." Given the uncertainty facing both the public and separate school boards, there is still great potential for the kind of divisiveness that occurred in Hamilton. This piecemeal approach to planning is indicative of this government's insensitivity to the needs of students in London and across this province.

FIRE PREVENTION

Mrs. Fawcett: On Tuesday, October 11, I had the pleasure of attending an awards ceremony in the town of Cobourg with my colleague the Solicitor General (Mrs. Smith). This was the first fire prevention award given under the new provincial fire prevention program. This award was initiated with the intention of significantly reducing Ontario's fire injuries, deaths and property losses. One aspect of the program is the presentation of a number of fire prevention awards.

In 1987, our area received nine of a possible 16 awards in the James L. Arnott Fire Prevention Foundation contest held right across Canada. Winners from our area were Steve Higgins and Mark Bignell of Brookside school, Sarah Macklin of Dale Road public school, Doug Glen of St. Joseph's, Bonnie Carman of Grant Sine school, David Giddings of Grafton public school, Jason Benne of Baltimore public school, Christina Nemec of St. Mary's school, Grafton, and Tammy Caine of Camborne public school.

The Cobourg, Hamilton and Haldimand fire prevention committee has been instrumental in educating not only the youth of our area but the entire community on the merits of fire prevention. It has indeed been a splendid example of community involvement and we consider it a model organization that has served our community well. Members of the committee who deserve special recognition are: fire department chiefs Harry Greer of Cobourg, Howard Ferguson of Baltimore, Jack Lingard of Bewdley and Wayne Young of Harwood; chairman of the committee Ross Quigley; and municipal officials—

Mr. Speaker: The member's time has expired.

ACCIDENT COMPENSATION

Mr. Laughren: Year after year, members of the Legislature examine the annual report of the Workers' Compensation Board. Year after year, there are public hearings on the compensation system. There are demonstrations. Our constituency offices are plugged solid with problems. Employers are unhappy with our compensation system, the trade union movement is unhappy with our compensation system, injured workers are unhappy and occasionally feel the need to express that unhappiness, and the board itself has an unfunded liability of \$6 billion and it is still growing.

All in all, we have a system of compensation in this province that is not serving the people it is supposed to serve. Some people shrug their shoulders and say: "Well, there's nothing you can do about that. You can't have a system that works."

We on this side say that is absolute and total nonsense. There is a solution that would work, and that is a comprehensive accident compensation system based on the model presently in place in New Zealand. Under that system, wage earners are compensated by employer contributions whether they are injured at work or at home. Injuries caused by car accidents are compensated by the car drivers, and a supplementary fund from general revenues covers all other types of accident. It is time we had that kind of system in Ontario.

1340

MISS OTTAWA ROUGH RIDER

Mr. Sterling: I would like to take this opportunity to inform the House of an upcoming event which is causing quite a stir in Ottawa these days, namely, the Miss Ottawa Rough Rider contest. The excitement over this contest is not for reasons you might expect but is due, rather, to a certain 72-year-old sensation known as Pearl Fleming, one of the five finalists vying for the title tonight.

The Ottawa Grey Cup committee recently decided it was time for a change in the regulations. While the minimum age is 18 years, there is no longer any upper age limit for contestants. The contest criteria now call for a good knowledge of the Canadian Football League, an ability to speak publicly and a demonstrated support of the team. As a 40-

season ticketholder, Mrs. Fleming is certainly eligible.

This regulatory change has been supported by the Grey Cup committee and the option now exists for any CFL city to adopt the same measures. Such an initiative will prove beneficial not only to the team but to the league, fans and, in particular, women.

I would like to extend my best wishes and the wishes of this assembly to all finalists in the Miss Ottawa Rough Rider contest this evening.

ERINOAK

Mr. Mahoney: I would like to share with this House some information about a wonderful facility in my riding, known as Erinoak. Erinoak was formerly called the Credit Valley Treatment Centre for Children. They changed the name to avoid conflict with the Credit Valley Hospital fund-raising program and to better reflect the two communities they serve.

This facility recently celebrated its 10th anniversary in our community in providing rehabilitation-based services to infants, children and young adults living in Peel and Halton who have physical disabilities. They address the real-world needs of these people by providing diagnosis, therapy, specialized equipment, medical clinics, recreation and counselling services within their own community. They also offer programs on an outpatient basis in the clients' homes, schools and through our satellite centre in Brampton.

This is truly a co-operative effort operating under the provisions of the Ministry of Health with assistance from the Ministry of Community and Social Services.

The community financial support enables Erinoak to continue to provide programs and equipment not covered by government grants. The list of community donors is too long to read in a 90-second statement, but includes service clubs from all over Peel and Halton, corporate donors that contribute annually, community donors and memorial donations as well as individual donors. There are also nonmonetary donors who provide volunteer work at the site on a regular basis.

Under the leadership of Diana Thompson and the dedicated staff, they continue to operate a very needed service to our community.

HAZARDOUS WASTE

Mr. Hampton: Too often in Ontario's recent past, our environment has been ravaged as a result of decisions made in the United States or

activities carried on in the United States. Names like Love Canal or the major source of our acid rain constantly remind us of this problem.

Recently, in northern Minnesota a proposal has surfaced which the Ontario Ministry of the Environment must take careful note of. The state of Minnesota proposes to establish a hazardous waste site near International Falls, which is a border community. Never mind that 11 of 13 counties in northern Minnesota have said no to the waste site and never mind that 75 per cent of the people who live near International Falls have said no.

The waste facility will initially store the hazardous waste heavy metals lead, cadmium and chromium. Perhaps the storage site will be 100 per cent safe, but perhaps it will leak. The danger is that all the water drains into Ontario. The second danger is that so far neither Environment Canada nor the Ontario Ministry of the Environment has had significant input or asked significant questions about the situation. This would be an easy situation for the Ontario Ministry of the Environment to duck. We could always say it is a federal problem.

Mr. Speaker: The member's time has expired.

Mr. Hampton: But what happens when the pollution starts to come home? We need some action from Ontario.

Mr. Speaker: That completes the allotted time for members' statements.

USE OF TIME IN ROUTINE PROCEEDINGS

Mr. Laughren: On a point of order, Mr. Speaker: I wonder if you could make a ruling, perhaps not as you sit here now but for the future. I wonder if you could tell us whether or not it is appropriate, when members make their statements at the beginning of the proceedings, for other members to rise in disagreement with what a member has to say in the opening statements.

An hon. member: And take his time.

Mr. Speaker: Order. I believe it is the duty of the chair to uphold the standing order set out by this House. This House has decided that there shall be 10 minutes for members' statements, and that is certainly what I was trying to uphold.

Hon. Mr. Conway: On a different point of order, Mr. Speaker: I have been looking for an opportunity to raise this other point of order for some time now. As you reflect upon the orders, would you take under consideration the concern that many of us on this side of the aisle have about the growing penchant of the Leader of the

Opposition (Mr. B. Rae) particularly to not put his questions without an endless series of editorial comments after.

The concern I have is that when the Leader of the Opposition puts his first question, he can do whatever he wishes; but what I am very concerned about is that when you call him to order and ask him to put his second question, Mr. Speaker, he takes upwards of 30 seconds with what is often an uncontrolled editorial postscript. That, Mr. Speaker, we are concerned about.

Mr. D. S. Cooke: Perhaps, Mr. Speaker, when you are looking at this matter that the government House leader has decided to raise, you might want to take a look at some of the particular cabinet ministers, such as the Minister of the Environment (Mr. Bradley), who abuse the question period regularly. It is obvious to me today that the government House Leader and the government are very grumpy because they screwed up so badly yesterday on Bill 162.

Mr. Speaker: It has been a most interesting discussion.

Interjections.

Mr. Speaker: If the members wish to waste the time of the House, that is up to them.

STATEMENTS BY THE MINISTRY

HEALTHY LIFESTYLES PROMOTION PROGRAM

Hon. Mrs. Caplan: In contemporary society, many of the diseases we are treating, such as cancer, heart and lung disease and cirrhosis, we know have a strong environmental and lifestyle connection. That means we must be able to provide people with the options, the alternatives and the information that make good personal health choices both practical and possible.

Today we understand more clearly the direct relationship between our own health and the choices and decisions we make. We understand that health is not just the absence of disease but a positive resource for living, and, as individuals, we must take greater responsibility to protect that resource.

I believe we must now take this concept, this new understanding of health, and give it a vital, growing role in Ontario health care. I am therefore announcing today the launch of a comprehensive three-year healthy lifestyles promotion program focused on quitting smoking, moderate alcohol consumption and healthy nutrition.

1350

My ministry will provide \$1.5 million in annual funding for this program, which includes public education, community support and a community action strategy. This will be a positive program aimed at creating greater public awareness of healthy lifestyles and encouraging individuals to make health-affirming choices.

An important aspect of this program will be community participation. A review of other health promotion programs now in operation indicates that community support and participation are essential to program effectiveness and the achievement of positive outcomes and results. A major emphasis will be placed on assisting communities to mobilize services that will support individuals in making healthy choices.

In developing the program, my ministry had the benefit of the Spasoff and Podborski reports, which make a number of specific recommendations centred on health promotion and disease prevention activities.

As well, the ministry received excellent advice from a committee composed of experts in the fields of alcohol abuse, nutrition, heart disease, multicultural issues, women's health and epidemiology. I would like to acknowledge the work of this advisory committee and express my appreciation for its dedication to this program.

In particular, I would like to mention the contribution of Dr. Larry Chambers of McMaster University; Dr. Geoff Dunkley from the Ottawa-Carleton regional health unit; John Garcia from the Toronto public health department; Maria Herrera of the Multicultural Health Coalition; Dr. Peter Loranger from the Alcoholism and Drug Addiction Research Foundation; Beverly Musten from the Scarborough health department, and Peggy Shultz from the Ontario division of the Canadian Mental Health Association.

Next Monday, October 24, the healthy lifestyles program will begin with a province-wide media campaign with the upbeat theme: "Health. It's a great feeling." Television will be the primary medium, with additional radio support in certain areas. Advertising will be produced in English and French and will be closed-captioned for the hearing-impaired. Messages will also be directed to multicultural and language groups.

The second program component, community support, will involve the development of resource materials which can then be adapted for use by communities and community organizations. To advise on and co-ordinate the effective development of these resource materials, experts

on health risk behaviour will work closely with the program designers.

For the third part of the healthy lifestyles campaign, community action strategies, program staff will work with public health units and district health councils. In partnership, they will develop strategies that will stimulate initiatives at the community and district level to complement existing health promotion programs and activities.

The healthy lifestyles campaign will be evaluated during the three years of its development and implementation. We expect the information obtained to be a valuable tool for the planning of other local health promotion programs and services.

Earlier this year, I announced the first health promotion grants in a \$1-million program for community-based health promotion projects. I also announced a new \$1-million program aimed at reducing heart and vascular disease. The healthy lifestyles promotion program will now complement and support these efforts.

The healthy lifestyles promotion program, together with the other initiatives I have announced, has the potential to have a profound and positive impact on the health and wellbeing of the people of this province. I encourage all Ontarians to become involved and take the message to heart—"Health. It's a great feeling."

Some of the members of the advisory committee are in the gallery today. I would like to acknowledge their presence and thank them for their contribution.

TRUSTEE REPRESENTATION

Hon. Mr. Scott: I would like to announce to the House that I have instructed officials in my department to appeal the decision of the Ontario High Court of Justice regarding the Education Statute Law Amendment Act of 1988.

As members of the House will be aware, the court determined on Monday of this week that certain provisions of the act should not take effect in the municipal elections to be held next month. The decision to appeal was taken after a detailed consideration of the order of the court, which was received in form on Tuesday, as well as after consultation with the Minister of Education (Mr. Ward). The notice of appeal will be served today and will be heard as soon as is determined by the Court of Appeal itself.

The government will also ask the Court of Appeal for a stay of the High Court's order pending the hearing of the appeal so as to enable

the school board elections across the province to proceed next month.

CONSUMER WEEK

LA SEMAINE DU CONSOMMATEUR

Hon. Mr. Wrye: I want to take this opportunity to inform the members of the House that October 23 to 29 is Consumer Week in Canada. In honour of this week, I am pleased to join with the Ontario branch of the Consumers' Association of Canada in proclaiming Consumer Week in Ontario.

Le ministère de la Consommation et du Commerce attache la plus haute importance à la protection des droits des consommateurs ontariens, comme l'indique le grand nombre de lois provinciales qui existent dans ce domaine. Nous allons d'ailleurs prendre un certain nombre de mesures qui renforceront encore la protection du consommateur, dès que nous aurons fini d'examiner le projet de révision de nos lois.

Members will recall that the legislative review project's directions report and supplementary working papers were tabled in the House this June. I am pleased to report that a consultative process will begin shortly, as I will be visiting a number of Ontario communities during the remainder of October and throughout the months of November and December. I look forward to discussing the project's report with interested parties and hearing their views before I proceed to cabinet with finalized recommendations.

Consumer Week activities provide an opportunity for all of us to become aware of the important role played by well-informed consumers in Ontario's marketplace. To celebrate our third annual Consumer Week, my ministry is undertaking several activities, including the introduction and presentation of a new award to two outstanding Ontario consumer educators, plus the distribution of information and educational material throughout the province. We are also working in conjunction with the consumers' association to further promote consumer awareness through poster campaigns.

Consumer Week is also an opportunity to recognize the work of the consumers' association and indeed of all agencies which promote and support consumer education and awareness. I want to now refer my honourable colleagues to the members' gallery where two very active members of the consumers' association have joined us today, and I would ask them to rise: Ontario president Peggy Smyth and Ontario executive assistant Sue Beck.

As well, I want to recognize the first two recipients of the Consumer Educator of the Year award: Ruth Jackson of Kitchener, for her many years of voluntary service and leadership in the consumer education field, and Gary Rabbior of Toronto, for his professional contributions as director of the Canadian Foundation for Economic Education and author of the newsletter *Money and Youth*. I would ask them to stand.

In proclaiming Consumer Week 1988, we urge Ontarians to reflect on the benefits enjoyed by both business and consumers in a fair and equitable environment. This year's poster theme, "Shop Smart—It Pays," encourages consumers to realize the value of knowing the marketplace and to appreciate the untold benefits of shopping smart. To extend the reach of this message, the poster has been translated into several languages.

I am pleased to provide all members of the House with a copy of our newly designed bilingual poster, and I invite all members of the House to join me in recognizing this specially designated week for consumers.

OCCUPATIONAL HEALTH AND SAFETY

SANTÉ ET SÉCURITÉ DU TRAVAIL

Hon. Mr. Sorbara: Later today, I will be introducing for first reading a bill to ensure the timely implementation of Ontario's new law giving workers the explicit right to know about hazardous materials in the workplace.

As honourable members know, the government is working with labour and management to ensure the further development of an occupational health and safety system in Ontario in which injury and illness on the job are prevented. In order for this system to work effectively, workers must know what hazards are in the workplace and how to deal with them.

Afin que ce système puisse fonctionner efficacement, les travailleurs doivent connaître la nature des dangers présents dans le lieu de travail et les mesures de contrôle à prendre à cet égard.

1400

This requires clear, understandable information and the training and education to make effective use of that information. This kind of information, training and education is to be provided in Ontario, and indeed across Canada, through the workplace hazardous materials information system.

When WHMIS starts coming into effect on October 31, it will revolutionize the way in which hazardous materials are handled in workplaces all across Canada. For the first time, all

such materials will have to be labelled in a prescribed manner, there will have to be material safety data sheets in the workplace setting out how they are to be handled, and workers will have to be trained to use all this information effectively.

With the passing of these amendments, Ontario will become a full partner in the WHMIS system. Ontario workers will take their place beside fellow workers across the nation in benefiting from this history-making right-to-know legislation.

WHMIS is a remarkable, uniform system that represents a highly significant advance in the field of occupational health and safety.

Le Système d'information sur les matières dangereuses utilisées au travail est un système uniforme remarquable qui représente un pas de géant en avant dans le domaine de la santé et de la sécurité au lieu de travail.

It is the product of eight long years of work and of consultation and of negotiation involving the federal government, the provincial and territorial governments and representatives of labour and management all across Canada. In all of this, I might add, Ontario played a vigorous and important role.

Ontario took a leading role in the WHMIS system by paving the way for the legislation with Bill 79 in June 1987. Ontario's keen participation continued through the development of the proposed WHMIS regulations—known nationally as the model OSH, for occupational safety and health—which are now being adopted by each of the provincial and territorial governments in Canada.

Since those regulations were developed by consultation and in the continuing spirit of partnership and co-operation by all three partners—that is, government, labour and industry—the Ontario government wanted the practice in our province to be consistent with the consensus it worked so hard to help achieve. As a result, further amendments to the enabling legislation for WHMIS are needed for the legal authority to enforce all of the provisions set out in the draft regulations.

These amendments will meet that requirement. They are fully supported by representatives of labour and management who have worked with government through the entire process.

I cannot emphasize enough the importance of the WHMIS system in establishing effective participation by the workplace parties in matters

of occupational health and safety and in making Ontario workplaces safer.

Monsieur le Président, je ne puis que réitérer l'importance du SIMDUT et de la participation des parties en cause dans les lieux de travail, en ce qui a trait à la santé et à la sécurité du travail, afin de rendre les milieux de travail plus sécuritaires partout en Ontario.

I urge speedy passage of the amendments so that WHMIS implementation can proceed across Ontario.

WETLANDS MANAGEMENT

Hon. Mr. Kerrio: I am pleased to announce that a draft policy statement for wetlands planning in Ontario will soon be released for public comment. This policy statement recognizes the importance of our remaining wetlands and reflects our commitment to their protection. Moreover, it ensures that the responsibility for that protection is shared among all municipalities and planning authorities across this great province. With this statement, planning officials will have a clear mandate to incorporate wetland values in their land use planning decisions.

My colleague the Minister of Municipal Affairs (Mr. Eakins) and I are eager to obtain the public's views on this statement. We will be issuing copies of the draft statement together with detailed implementation guidelines. After a six-month public review, we will make any necessary adjustments, based on public response.

The Minister of Municipal Affairs and I will then bring forward the final version of the policy statement for approval. It will be released under section 3 of the Planning Act.

Our marshes, swamps, fens and bogs are essential natural resources. They purify our water, help in flood control and provide a crucial habitat for fish and wildlife species. They help keep Ontario clean and healthy.

Unfortunately, many of our wetlands, especially in southern Ontario, have been lost over the years to urban encroachment, land clearing, draining and filling.

I am confident that this planning policy, working in concert with the many wetlands programs and initiatives already in place, will ensure the future of our wetlands resources; and I might make this comment two or three more times before we do it.

RESPONSES

OCCUPATIONAL HEALTH AND SAFETY

Mr. Mackenzie: I am responding to the Minister of Labour (Mr. Sorbara) on the work-

place hazardous materials information system bill that we can expect this afternoon and the regulations, which I have seen. The minister knows that labour and this party want to see that passed. His high praise of the total co-operation of labour is partially accurate.

He also knows that they have a serious reservation on one particular matter in that bill, which they had hoped would be resolved and has not been resolved. That revolves around the word "consultation," as the minister knows. It is not clear what input the workers will have in some of these decisions, and I think the minister should take a look at a friendly amendment in that area when the bill is before the House.

TRUSTEE REPRESENTATION

Mr. Allen: I am responding to the announcement by the Attorney General (Mr. Scott) with regard to the decision to appeal the Ontario High Court of Justice's decision with regard to Bill 125. This is indeed a sorry next step in a long, sorry tale about the registration of French voters and the securing of adequate representation for the French community in the governance of their own school settings in this province.

We remember that the last government, time and time again, tried to undertake a registration of French electors in this province, and failed dismally each time around, for the French-language advisory committees. We had hoped that with the new written forms and the new bill a process would be put in place that would give them the kind of representation they desired on their institutions of governance for education.

Sadly, that has not been the case. The forms have misfired, the legislation has not been drafted according to the best advice the minister received and the result is that we are now once more failing dismally our Franco-Ontarian compatriots in this whole matter. It is a sorry tale. Shame on the government.

HEALTHY LIFESTYLES PROMOTION PROGRAM

Mr. Reville: New Democrats have long argued for a much better effort on the part of government in the area of health promotion, so it is with some pleasure that we received the announcement of the Minister of Health (Mrs. Caplan) today. I would particularly commend the cover to the grumpy government House leader. It shows a happy dancing person and a slightly hyper-looking dancing dog. If he were to look at this, he would probably cheer right up.

We want all people in Ontario to be able to make good personal health choices. There is no question about that. It is regrettable that in Ontario a very large number of people are unable to make real choices about health or about anything else for that matter. That requires a much better effort from the Minister of Community and Social Services (Mr. Sweeney), the Minister of Labour (Mr. Sorbara), the Minister of the Environment (Mr. Bradley) and the Minister of Housing (Ms. Hošek), so that we will not have 500,000 children living in poverty in the province and so that real health choices can be possible. That would be a good feeling.

WETLANDS MANAGEMENT

Mr. Wildman: For the second time this week, the Minister of Natural Resources (Mr. Kerrio) has made a nonannouncement. We have been waiting since 1984 for a wetlands policy, while more and more valuable wetlands have been lost, ruining the habitat for waterfowl, fish, animals and plants. Only 13 per cent of the total wetlands in southern Ontario are left. We are still waiting for the announcement, and all the minister has to say today is that we will be getting it soon.

We have had announcement after announcement from the previous government and this government, promise after promise, stall after stall on wetlands. This government has failed to co-ordinate with the Ministry of Agriculture and Food to ensure that wetlands are preserved in southern Ontario. Frankly, I doubt that this announcement relates to any real progress in the ministry towards the development of a wetlands policy; rather it is more related to a public relations process designed to try to deflect the inevitable criticism that the ministry is going to face at the Federation of Ontario Naturalists conference on wetlands at Ryerson Polytechnical Institute this weekend.

CONSUMER WEEK

Mr. Farnan: I am proud to inform the House that for the official opposition every week is Consumer Week. Nevertheless, the official opposition approves the concept of Consumer Week and we commend the recipients of the Consumer Educator of the Year awards. It is wise to encourage the consumer to be aware and alert with the Shop Smart campaign, but this encouragement to shop smart in no way reduces the government's responsibilities to ensure a commercial environment that is honest and fair to the consumer and that requires appropriate penalties

to those who would attempt to deceive or to abuse Ontario consumers.

1410

TRUSTEE REPRESENTATION

Mr. Jackson: Finally, after four days, someone from this government has come forward to make an announcement on behalf of the Minister of Education (Mr. Ward) regarding francophone rights and Bill 125. It is apparent that the Premier (Mr. Peterson) has made a statement that he is prepared to fight the ruling and he is not prepared to defend francophone rights in this province.

Today's announcement is a substantive announcement that strikes at the heart of francophone rights in this province. Members of the back bench in the Liberal Party might like to read what Mr. Justice Sirois had to say. Yesterday cabinet heard about the judge's order. I would like to quote what Mr. Justice Sirois said:

"There is the urgent matter of the November 14, 1988, election, which would result in an injustice if the substantial errors in the enumeration of the voters were not corrected. The unreliability of the list will result in irreparable harm to be suffered by several thousand of section 23 right-holders, firstly in their right to vote, which is denied unless it is corrected, and also, their right to vote for the proper number of members or trustees to represent them, as required by section 23, as well as the sections of the act in both Bill 75 and Bill 125 that I have referred to."

He went on to say, "My conclusion is that this amounts to a clear denial of constitutional rights and it is inconsistent with the provisions of section 23 of the charter."

That is the substance of what the cabinet faced yesterday, and yet we get this simple statement that all the government is going to do is file an appeal.

The fact is that the Premier must realize that if he refuses to listen to the citizens of this province, he will lead a government that will continually mismanage issues, issues as fundamentally important as the rights of francophone electors in this province. The whole municipal election this fall has now been called into question. It will proceed under a cloud, and it is negligent to believe that at some point there may be millions of dollars of additional expense incurred by municipalities across this province as a result of his government's refusal to listen to all the advice about what was going to happen to this bill.

HEALTHY LIFESTYLES PROMOTION PROGRAM

Mr. Eves: I would like to respond today to the statement made by the Minister of Health (Mrs. Caplan). I would congratulate the minister on her initiative. I would assume that the \$1.5 million a year is in addition to the \$1.2 million that her ministry is now spending on health promotion in Ontario.

We were a little bit concerned on the opposition side of the House that the Podborski report took some three years to complete; but, having said that, we are now almost a year later in response to when it was released. My colleague the member for Carleton (Mr. Sterling), I am sure, would appreciate an even more meaningful approach to the first point in the minister's three-point synopsis. If the minister would please proceed with either Bill 3 or Bill 175, which is in Orders and Notices, that would indeed be a very meaningful commitment for the member for Carleton as well as for the people of Ontario.

CONSUMER WEEK

Mr. Harris: I want to join with the Minister of Consumer and Commercial Relations (Mr. Wrye) in congratulating Ontario president Peggy Smyth and the Ontario executive assistant, Sue Beck. I also want to join in congratulations to Ruth Jackson of Kitchener and Gary Rabbior of Toronto.

I want to convey my disappointment, though, that the minister says, "We," the government, "are also working in conjunction with the consumers' association to further promote consumer awareness through poster campaigns." I would have hoped that the government and the minister would have stayed out of the poster campaign. If they wanted to provide some monetary assistance, that would be fine; but obviously they have influenced the selection of this year's poster theme, Shop Smart—It Pays.

There is nothing the matter with the theme, but it ignores the single most pressing issue facing consumers in this country today, the single most substantial benefit for this year, next year and into the future, that being the matter of free trade. I want to say to members that I think that, had the consumers' association been left on its own without government interference, a better theme might have been "Free trade, hurray!"

ORAL QUESTIONS

WORKERS' COMPENSATION

Mr. B. Rae: I would like to address my question to the Premier. I tried to get some

answers yesterday from the Minister of Labour (Mr. Sorbara) about the actual legislation that this government is proposing, and he was not able to answer the question I put to him. I would like to put it to the Premier, since it reflects a fundamental question of policy of his government and cabinet, which have proposed this law.

The bill that the government is putting before this House, for the first time in the history of workers' compensation in this province, denies workers the right to appeal a medical assessment. I wonder if the Premier can explain why he would be denying workers the right to appeal, to the Workers' Compensation Appeals Tribunal, the opinion of doctors appointed by the Workers' Compensation Board on the medical condition of a worker.

Hon. Mr. Peterson: That bill was crafted after long consultation and, just yesterday, entered this House for discussion, although it was not easy to get the bill into the House for discussion. My honourable friend may have some suggestions during that debate, and I hope that they would be forthcoming.

Obviously, it is a complicated bill. It is a new departure. I know generally my friend is not comfortable with new departures, but I think we have to look at it in its broad context. If my honourable friend or his associates have ideas, I am sure they can be discussed in committee and in this House and put forward. If the bill can be improved, obviously the government is amenable to reasonable suggestions.

Mr. B. Rae: I would have thought the government would have had a commitment to some fundamental human rights with regard to how an administrative tribunal works. I want an explanation from this government and from this Premier. I would like him to answer my question directly.

Can he explain why, on page 7 of the bill he has presented to us, he says, "no appeal lies to the appeals tribunal from a decision of the board under this section or in respect of medical assessment conducted under this section"? That is a historic step backwards from everything that has been decided in this House since 1915 with respect to workers' compensation. Can the Premier explain why workers would not be able to challenge the opinion of doctors appointed by the board itself in an independent appeal to an appeal tribunal? Why would he deny that very basic human right?

Hon. Mr. Peterson: The member may want to choose to discuss the bill through question period, and that is certainly his right, but that is

what the whole purpose of the second reading debate is about, and obviously, the committee process is going to be forthcoming. We will have a lot of opportunity to discuss the specifics and the various clauses of the bill. I hope that my honourable friend will make his contribution at the appropriate time.

Mr. B. Rae: We have not had an answer from the Premier. Basic civil rights have been taken away from the workers of this province. Can the Premier explain, surely understanding the history of workers' compensation in this province, as he must, a fundamental statute that is being changed and a right that is being taken away from workers to appeal a medical opinion?

In introducing this bill, surely the Premier must have considered the implications that this has for the civil liberties and civil rights of workers, who are being denied a right to appeal to an appeal tribunal. Why is he denying the right to appeal of workers who have been given an assessment by a doctor? Why not give them the right to make that appeal? Why take it away?

Hon. Mr. Peterson: I say to my honourable friend that I think the government has a different interpretation than he does of this matter. I think we have to look at the complete bill. He will have the opportunity to make his views felt on this bill in this House as it goes through clause-by-clause, and there will be a lot of discussion around a number of clauses. Obviously, the member's contribution will be taken very seriously at the appropriate time. I just hope that he will assist in getting this bill into the House and into committee so that we can have the discussion this bill deserves.

1420

COMMUNITY AND HOME SUPPORT SERVICES

Mr. B. Rae: By way of a new question, I wonder if the Premier can confirm that the cabinet has decided to freeze funding for the integrated homemaker program and that some \$2.5 million of money that was previously allocated to this program and expected by people has in fact been frozen as of September 30?

Hon. Mr. Peterson: His information is incorrect.

Mr. B. Rae: Perhaps the Premier can explain the conversation a member of my staff had with Tim Young, who is the manager of the community and home support services at the Ministry of Community and Social Services, which runs the integrated homemaker and Alzheimer's pro-

gram. Mr. Young told our researcher that \$2.8 million is being saved this year from the integrated homemaker program because cabinet has imposed a freeze from September 30 on expansion of this program. Can the Premier explain the discrepancy between his answer and the opinion of the person who is administering the program?

Hon. Mr. Peterson: No, but I can tell the member the opinion of the person who makes the decisions, the Treasurer (Mr. R. F. Nixon), and he tells me it is under review.

Mr. B. Rae: That is different from the original answer. It is very hard to know. I do not know whether we are talking to Charlie McCarthy or who we are talking to here. The question I am addressing is to the Premier.

I would like to ask the Premier, with respect, if he can also confirm that some \$2.5 million, which was going to go into the Alzheimer's program for the newly announced but yet to be developed residential community alternative programs has also been put on hold and will also not be spent because the Treasurer, who is known affectionately around the various ministries as Bob the Knife, is asking them to save \$500 million out of the budget. That is why we have the problem. The knife is cutting somewhere. It is cutting on the homemaker program and it is cutting on the Alzheimer's program.

I wonder if the Premier could simply confirm those facts.

Hon. Mr. Peterson: I can say that is a lot more attractive appellation than how some of the Bobs I know are referred to in this House.

The information the honourable member has is wrong. It is under review.

MEMBERS' ANNIVERSARIES

Mr. Brandt: I would like to bring to the attention of the House, before I address my first question, the fact that two members of the House will be celebrating the 17th anniversary of being elected to this chamber tomorrow: a member for the New Democratic Party, the member for Nickel Belt (Mr. Laughren), and a member for the Conservative Party, the member for Lanark-Renfrew (Mr. Wiseman). I would like to have all members join me in congratulating both of those members.

There are two members who have reached agreement on almost every issue over the past 17 years. We are proud of the kind of co-operation they have shown.

WASTE MANAGEMENT

Mr. Brandt: My question was to be addressed to the Minister of the Environment (Mr. Bradley), who I understood was going to be here, but in his absence I know the Premier would want to respond to a question relative to the environmental conditions that exist in this province.

As the Premier is no doubt aware, Durham region yesterday said it would not take any more municipal waste from Metro Toronto, as its landfill will be at capacity by May 1990. Metro Toronto's landfill sites will be full as of the same date in 1990. As it takes five years to identify and establish a waste landfill site in this province, that means that for three years both the communities of Durham region and Metropolitan Toronto will not have any place for their municipal waste, based on the information we have now.

Can the Premier tell this House what his solution is and where that waste will go when those landfill sites expire in terms of their capacity?

Hon. Mr. Peterson: There is no question that we have been dealing with a number of problems inherited from the Conservative government and the member specifically, who was the Minister of the Environment in this regard.

I understand the difficulty, as does the present Minister of the Environment. One can see that the minister has instituted some of the most aggressive recycling programs certainly in the history of this province. He is working closely with the municipalities. There are a number of approaches being looked at, and I think there are solutions to be found.

Mr. Brandt: That hardly answers the question, because the recycling programs are going to be totally insufficient even at the current level of funding or 10 times the level of funding in order to meet the needs of these various municipalities.

I would like to point out to the Premier that yesterday at a meeting in Mississauga, Hazel McCallion, the mayor, said that unless a site can be located for her community by 1990, it will have no choice but to ship its garbage to the US, as does the region of Halton, as I have pointed out in this House previously.

Their process of finding a new site has been delayed because of a ruling by the Ministry of the Environment that forces Mississauga to start the process all over again. In effect, they have to reinvent the wheel and get into the entire planning process to find a new site. There is no way possible that they will be able to identify a new site before the old one closes in 1990.

Is shipping our waste to the United States, as we are now doing with Lester B. Pearson International Airport, with Halton region and as we will shortly, within the next couple of years, have to do with Mississauga, the Premier's answer to environmental waste in this province? Is it that it be shipped to New York state for incineration?

Hon. Mr. Peterson: I do not agree with the honourable member's interpretation of this situation. Yes, there is some of that going on, and vice versa, as my honourable friend is well aware. There were certain inadequacies in the proposal of Mississauga in this particular regard. The minister has been working with them to make sure we have the proper environmental procedures.

My honourable friend, I note today, called for a superfund to clean up toxic waste. What he is asking for right now is \$30 million to clean up his mistakes. That is an abject public apology for his lack of concern for environmental policies. It is a public admission of guilt. I say with some pride that this minister is trying to prevent that from ever happening again. He has provided leadership for which the member has now publicly taken responsibility.

Mr. Brandt: If it is the Premier's position that no municipal landfill site should be approved in this province, then he should stand up and say so. If incineration is the alternative the Premier wants to introduce in this province, then he should say so. If, in fact, energy from waste is his alternative, then he should say so, because his Minister of the Environment, over the past three years, has not approved of one landfill site for municipal waste.

The municipalities simply do not know what their alternative is any more, and he can sit there piously and indicate that the mistakes of the past are now being cleared by his government. In fact, his government is not making any mistakes, because it is doing absolutely nothing about the problem. That is his problem.

Mr. Speaker: New question.

Mr. Brandt: Since the government—I am not through yet.

Interjections.

Hon. Mr. Peterson: It is a question of sincerity.

Mr. Brandt: There is no question about my sincerity.

Mr. Speaker: Does the member have a final supplementary?

Mr. Brandt: What does the government intend to do about waste problems in this province, other than simply sloughing off the problem and shipping municipal waste to the United States of America?

Hon. Mr. Peterson: I thought my honourable friend believed in free trade. I cannot understand his objection to that.

Let me say that this minister is, as I said, determined not to make the mistakes of the past. He is determined to provide leadership. I just absolutely reject the member's doomsday scenario. Let me tell him that a great deal of co-ordination and planning is going on. This minister is planning for the future, and I just do not accept the doomsday scenario the member points out.

Mr. Brandt: Then talk to the municipalities.

Mr. Speaker: Order. New question. The member for Burlington South would like to place a question.

TRUSTEE REPRESENTATION

Mr. Jackson: My question is to the Minister of Education. Already, on Monday, one judge has ruled against Bill 125, and if the higher courts agree with that judge, we could have new municipal elections across this province within six months. This will involve greater costs to municipalities, property taxpayers, school boards and the candidates who are running.

Will not the minister please admit today that, in fact, it has been his stubborn refusal to listen that could force upon the people of Ontario untold, unnecessary costs for a second set of municipal elections?

1430

Hon. Mr. Ward: I would be happy to respond to the member for Burlington South by reiterating for him the government's intent when it brought in Bill 125.

As the member is fully aware, Ontario was the only jurisdiction remaining in North America that elected its school board representatives on the basis of assessment, or wealth, as opposed to the principle of representation by population.

In formulating our legislation, we gave very, very careful consideration to other mechanisms, including ones that were based on student enrolment. We fundamentally believe that the principle of representation by population has in fact withstood the test of time and we are confident that we will be successful when this matter is put before a judge in appeal.

Mr. Jackson: We are painfully aware that when the minister tabled Bill 125, he had some notion that perhaps his legislation was more democratic. In fact, the judge feels it is one of the most undemocratic pieces of legislation for francophone citizens in this province.

This is the second time that this government has appealed against a court defence of constitutionally entrenched francophone educational rights. Is the minister not sending out a message to the francophone community that their francophone educational rights, as seen by his government, are a nuisance and they are to be fought in the courts by the government at every turn?

Hon. Mr. Ward: I want to reiterate to the member that indeed this government believes fundamentally in the constitutionally entrenched francophone rights. I will remind him it was this government that brought in Bill 75, the first legislation in this province that provided for francophones a mechanism by which they could control their own affairs as they relate to education. The purpose of Bill 125 was to establish a mechanism by which those francophones with section 23 rights could be identified in order to exercise that control over their own affairs in matters of education.

Mr. Jackson: This case could, in all likelihood, go all the way to the Supreme Court. The government may win and it may lose. What the minister is telling this House is that the legal advice he took from the Attorney General (Mr. Scott) last year is the same advice he is about to take as he proceeds to the Supreme Court.

My question: As the Minister of Education, can he give the people of Ontario a guarantee that if his appeal fails, he will respect the court ruling and he will not invoke section 33 of the charter to circumvent our courts and trample constitutionally entrenched francophone education rights? Will he provide that guarantee?

Hon. Mr. Ward: There is no question that issues relating to French-language governance in education raise very difficult constitutional questions. The member will know that his government had some 42 years to provide some initiatives and to make some progress in this very difficult area. This government acted, and I think it acted with vigour and courage. We believe fundamentally that our legislation is appropriate and will withstand those challenges.

LEGAL AID

Mr. Hampton: My question is for the Attorney General. Earlier this year, I asked the Attorney General why his government was able

to fund six new community legal clinics in 1986 and six new ones in 1987 and none so far in 1988. The Attorney General replied that everything was on track, increases were going to be provided; everything was on track for new clinics to be opened.

I want to ask the Attorney General now: Is it not a fact there will be no new clinics funded this year, in 1988, and is it not also a fact there will be no increases in budget, despite the fact that many clinics need an increase in budget in 1988?

Hon. Mr. Scott: The answer to the question involves pointing out to the honourable member that under this government over the last three years, there has been not only the greatest expansion of legal aid clinics in the history of Ontario, by triple, but also by far the largest expansion of legal aid services in the western world. Indeed, I think it can fairly be said that the legal aid plan of Ontario is the only plan in the western world that has exhibited any significant amount of growth in this period.

I recognize that expansion has imposed very significant costs on the clinic end of the plan, and it may be that we will have to reduce the rate of expansion in the future. But budgets have not been cut, and I am assured by those who run the legal aid plan in Ontario that they are capable of maintaining the clinic system we now have in this province—and of which I am very proud, because it operates on a community basis in over 60 communities across the province—in full health and vigour over the next couple of years.

Mr. Hampton: I gather the minister was not in front of the provincial legal aid office earlier this summer when disabled people, tenants and injured workers all protested the lack of funding for the clinics. We hear that every day. The Minister of Housing (Ms. Hošek) says there is an increased lineup for landlord and tenant applications. The Minister of Labour (Mr. Sorbara) says there are more injured workers and he cannot provide any assistance through the injured workers' groups. These people need help from the legal clinics.

Can the minister explain why in 1986 and 1987 it was so easy for the government to afford to open a total of 12 new clinics, and now this year, after a mammoth increase in taxes, the government suddenly cannot afford any and cannot afford any increases in budget?

Hon. Mr. Scott: It is a really interesting question, but it has nothing to do with the reality. The fact is, as the honourable member finally concedes, the clinic expansion in Ontario in the last three years has been absolutely remarkable in

terms of size. We have opened more clinics than any other jurisdiction in the world in that period.

It is also worth pointing out that clinic lawyers, who are the mainstay of the clinic system and who support the work of the paralegals, last year, for example, received a 20 per cent income increase, which I think was warranted but which was extraordinarily higher than increases given to other members who depend on the public service budgets for their support.

The honourable member will also want to know that on the clinic side, to which he is directing his attention, over the three-year period budgets have increased by 85 per cent. I am proud of that record.

The only factual thing the honourable member actually got right in his question is that the community people who run these clinics, with the assistance of the government and the legal aid plan, lawyer and paralegal alike, do a fantastic job. I am very proud of them.

EDUCATION

Mr. Jackson: I have a question to the Minister of Education. Earlier this week, we were able to secure copies of the school board three-year statistics. For the second year under this minister, the summary page has been removed, so it has taken us until today to ensure that the figures confirm our worst fears.

The Premier (Mr. Peterson) promised consistently for four years that he was going to increase his commitment to schools in this province for the general legislative grants. In fact, what these statistics tell us is that this government is on target for reducing that commitment by 1.7 per cent. Why is the minister shortchanging the students of this province?

Hon. Mr. Ward: I am delighted that the member for Burlington South has taken the opportunity to review the three-year statistics. That particular document is provided to school boards throughout this province to compare financial statements and gauge the different programs available.

The member raises the question of this government's commitment to education. I want to reiterate for him some of the initiatives we have undertaken in the past year, because I know full well that the member for Burlington South will be quite anxious to join in applauding the fact that last year we increased the flow of funds to school boards in this province by some 7.2 per cent, or \$250 million, at a time when inflation was running at 4 per cent to 4.5 per cent. We have increased the amount of capital available for

school construction in this province by some 400 per cent over the course of the past three years.

We have undertaken a number of initiatives we believe enhance the quality of education in this province, such as the reduction in class sizes in the elementary grades, increased funding for textbooks and learning materials. Clearly, there is no higher priority this government has than enhancing the quality of education in this province.

1440

Mr. Jackson: The minister knows very well that the general legislative grants are in decline from his government, 1.7 per cent reduction. Yet he insists he has made these other Band-Aid commitments. For example, he cites capital. Under his government, under this Premier, we have seen an almost 70 per cent increase in the use of portables in this province. The Premier has become the prince of portables and the minister has become the court jester with all his fancy statements.

The truth is that the minister has to be accountable and he must state for the citizens of this province why the general legislative grants are in decline in this province and why he will not honour a promise, not to the trustees and to the taxpayers but to the children of this province who relied on that election promise for their education.

Hon. Mr. Ward: The member once again has certainly raised some very interesting points. I will concede to the member for Burlington South that it is not easy making up for decades of neglect. Three short years ago, the total expenditure on capital was between \$60 million and \$70 million. Today, as we speak, \$381 million of government funds is going into \$500 million in school construction. There are 37 new schools under construction, 42 additions, spaces for 46,000 additional students. The member for Burlington South knows full well that all of these activities are under way.

Our initiatives do not stop there. They move into the area of quality, the development of new curriculum guidelines, establishing better linkages between our schools, our communities and our workplace. I am sure the member will want to join in applauding our initiatives of the past three years.

RED MEAT PLAN

Mr. Owen: I have a question for the Minister of Agriculture and Food. Three and a half years ago, the government introduced the red meat plan. I understand there is consideration being

given now to ending that program at the end of March next year.

At the present time in our county of Simcoe, 200 farmers are enrolled in this program and they have shown me figures which show that the adjusted weaning weight has increased an average of 10 per cent or an average of 50 pounds of calf. That would mean that if a calf sold for \$1 a pound, this would result in a \$50-per-calf improvement for a farmer.

In light of the approval of this program and the success of the program, is the ministry still going to contemplate replacement of this program as of April 1, 1989?

Hon. Mr. Riddell: The honourable member is quite right in his assessment of the red meat plan. It has been a highly successful program. As a matter of interest, an interim study released last year shows that we have met most of the goals that were established in 1984.

In response to the honourable member's question regarding the replacement of this program, I would refer him to recent news releases, which indicated that the present program will terminate in 1989 as originally planned, but I also stated in those news releases that my ministry staff is meeting with industry groups and individuals to develop proposals for future programs.

Mr. Owen: The farmers in my area approve of the present program. They are apprehensive of any possible changes which may be introduced. The proverbial question always applies in this type of situation, and I put it to the minister today: If it works, why fix it? Why are we considering changing it?

Hon. Mr. Riddell: Let me reiterate that the program has been highly successful, no question about it. I have received many useful suggestions from the industry, groups and individuals, as to how the program could be improved, so I would say that the present round of discussions is designed to develop programs and strategies that build on and reinforce the progress that we have made to date.

COURT FACILITIES

Mr. Charlton: I have a question for the Attorney General. On September 28, the Attorney General announced an expenditure of \$3 million to improve criminal court facilities in Hamilton. Those of us in Hamilton are happy that he and his ministry have finally decided to move. Unfortunately, we are a little concerned that he is moving in the wrong direction in terms of the

needs of the courts and their operation in Hamilton.

Last spring, the Hamilton Law Association, in consultation with the Criminal Lawyers Association, the Hamilton-Wentworth regional police department, the provincial court judges, the local legal aid office, the Elizabeth Fry Society of Hamilton, the John Howard Society of Hamilton and the Ministry of Correctional Services, made a submission to the standing committee on public accounts on the needs of the courts in Hamilton. That study basically asked for a comprehensive study of the long-term needs for court facilities in Hamilton. The minister has proposed a renovation to a facility which is already inadequate.

Mr. Speaker: Will you put your question please?

Mr. Charlton: Will the minister take a pause and please consult with all of those bodies in Hamilton that rely on the court facilities before he proceeds with an expenditure that may lock us in for 20 years to something totally inadequate?

Hon. Mr. Scott: I want to thank the honourable member for his letter. Of course, I had to wait for it, because the press had it some time before I did. I have now replied to it at some length, and I hope he has the answer.

The reality is that in Hamilton-Wentworth, the Supreme Court and the district courts are operating in very adequate circumstances, probably one of the best locations in the province. The unified family court which operates in Hamilton will be moving into a new building which is opening very shortly as a result of an initiative taken by this government.

The reality is that the most populous court, the provincial court (criminal division), is located in rented quarters on Main Street and in two other locations. The lease in those premises has some six years to go and it is admitted by everybody that those circumstances are overcrowded and inadequate and provide no young offenders' security that is adequate or appropriate.

As a result, on our province-wide priority list, which followed an elaborate period of consultation with Hamilton, among others, we listed that priority as number two.

The cost of the project is not, of course, \$2 million. The cost to the government in security arrangements and furniture is in the neighbourhood of \$700,000; the landlord is making the other improvements, which will bring all of the provincial court (criminal division) facilities in Hamilton into one location.

I admit that it will not create a monument in the centre of the city in the sense that a building like

the post office would, but it will respond to ensure that the people who use the provincial criminal court, the accused people and the witnesses who are there and the judges who have to work there day by day—you will not find them complaining about this—are able to work in proper, orderly circumstances.

Mr. Charlton: I suggest that perhaps the Attorney General should take a second look at what it is he has approved. He is right that the landlord is going to make the improvements and that the people of Ontario will only pay for them as the lease continues, but he is going to lock himself into a 20-year lease.

The renovations which the landlord is going to make are going to create no new space in the facility, which he himself admitted just a few moments ago is severely overcrowded. There will be no new courtrooms and no new space in the overall complex.

1450

Will the minister, before he proceeds, please push the pause button—do not stop the process; push the pause button—take himself to Hamilton, see the facilities and talk to the parties involved? Please.

Hon. Mr. Scott: The honourable member has the Rainy River disease, because he has not got the facts right. It is a great question, but the facts are wrong.

Mr. Charlton: If you provide the wrong facts, then correct them.

Hon. Mr. Scott: No, just read the letter.

The fact is that the new lease provides a whole additional brand-new floor, never before used, at 125 Main Street. It includes all-new young offenders' cells, which have never been there, and it includes—he said there were no new courtrooms—two new courtrooms, which are designed to serve the provincial court (criminal division).

Interjections.

Hon. Mr. Scott: I want to emphasize to the honourable member and the members of this House, if they care to listen to this, that we run courts in Ontario in 235 locations and we use taxpayers' money to improve them. We went through an elaborate consultation process with all the communities in the province over a year-and-a-half period. This project came up number two and it is getting the priority and the attention we promised the provincial court we would give to it. I am pleased with that. I think we are doing the right thing.

Mr. Hampton: On a point of personal privilege, Mr. Speaker: The Attorney General referred to someone having the Rainy River disease, and it is not only an insult to me, it is also an insult to all of my constituents. I want to suggest that if the Attorney General is referring to people who do not have the facts straight, he should look at his answer on June 29, 1988, when he told this House—

Interjections.

Mr. Speaker: Order.

Hon. Mr. Scott: The remark was inappropriate and I would like to apologize to the people of the Rainy River district if, by any chance, they took anything untoward by what I said. I certainly intended not at all to insult or reflect on them in any way. However—

Interjections.

Mr. Speaker: Order.

ROUGE VALLEY

Mr. Cousens: I have a question for the Premier. The Premier has yet to respond to the federal government's generous offer of \$10 million towards the preservation of the Rouge Valley river lands as a provincial park. He has had ample time to consider this offer and we now expect an answer.

Now that he has appointed Gardner Church as his deputy minister for the greater Toronto area, I would like to ask the Premier: What advice has he received from Mr. Church on this matter and what is his government's intention towards the Rouge Valley?

Hon. Mr. Peterson: First of all, let me say, because I do not want to look like an ingrate, I guess \$10 million is better than nothing, but on the other hand, the member should not get the impression that is anything significant, dealing with a property of that size.

It is the government's intention, and always has been, to preserve the Rouge. There is no question about that; there never has been. We are looking at that entire area, and obviously the property beyond it in Seaton, in other ways. We are looking at the entire area in terms of housing. We will not be housing on the Rouge, so do not worry about that. We are looking at all of the planning for that particular area. When that is all done, we will share our plans with the member with respect to the entire quadrant of the city.

Mrs. Marland: If I may continue to the Premier, I wish he could make a public statement about the intentions of his government because it

certainly would put a great number of people at ease.

I really find it very difficult that we even discuss the Rouge Valley from the standpoint of anything but status quo, it remaining as it is, because after all is said and done, it is already publicly owned. It was designated as a park about 12 years ago. The people of Ontario have already paid for it, so there should not be any discussion about what it is used for, other than conservation, as it already is.

Hon. Mr. Peterson: Then why are you raising it?

Mrs. Marland: I am glad the Premier asked.

Mr. Speaker: Order. I recognize the member for a supplementary.

Mrs. Marland: Thank you, Mr. Speaker. I would like to say to the Premier that if he does not know why we are asking the question, we are in a worse state than we thought we were. We are asking the question because there is a resolution of the city of Scarborough. There are thousands of people in the city of Scarborough and across this province who have been asking his government not to talk about housing on the Rouge Valley lands. They want to know—

Mr. Speaker: Order.

Hon. Mr. Peterson: I have never underestimated what a bad state the member is in, particularly in this regard. We have said from the beginning and will continue to say that the Rouge will be preserved. It is that simple. If there is any misunderstanding about it, surely the member will take that response, which is simple and clear, and tell her friends there who have any concerns that that is the position of the government.

Now, as I said, in terms of the planning of the greater Metropolitan area, we are looking at that entire quadrant of the greater Metropolitan area, with Seaton beyond and all other infrastructure that will be necessary to make sure that we have the proper conservation area and support of housing, which will be on the far side of it, to make sure that all of the plans are tied together.

I can tell my honourable friend that the final plans are not all tied together, because they require a high degree of consultation with the municipalities and the regions, and that is going on at the present time. Lest there be any misunderstanding about the Rouge, it will be preserved.

SOCIAL ASSISTANCE

Mr. Adams: My question is for the Minister of Community and Social Services. The report of

the Social Assistance Review Committee establishes principles upon which the reform of our system of social assistance should be based. I believe the most significant message carried by the report is the clear definition of the actual recipients of social assistance. Forty-one per cent of the beneficiaries are children and most of those are younger children. Only 9.6 per cent are employable adults, and they have an average stay on the programs of only eight months.

Part of the process of making changes must be to break down such myths. Can the minister explain to the House the implications of these findings as his ministry commences the challenging task of assessing the complexities of the Thomson committee recommendations?

Hon. Mr. Sweeney: When we asked Mr. Thomson to undertake this study over two years ago now, one of the things in particular that we asked him to do was to state very clearly who was and who was not covered under income assistance recipients, because it has been well known throughout the province that there are some misconceptions, or myths if you will, as to who is included.

There is a perception, for example, that most single mothers are unwed teenagers. That is not true. They represent only five per cent; over 80 per cent of single mothers are, in fact, women who were in a family situation, whose husbands have deserted them or they are divorced, separated or whatever the case may be.

It is vitally important that the general public of this province knows whom we are serving: that 41 per cent are children; that one third of those who get a cheque are, in fact, disabled people; that another third are single parents, as I have just described. Those are the people we are serving.

It is equally important, however, as the report itself states, that there are groups of people on there who ought not to be on that program at all who ought to be served in other ways. It recommends, for example, that the disabled should be served through a national disability insurance and benefit program, that the children should be served through a national children's benefit program and that, therefore, those who would be still left on the system would be those with whom we could work to help them get off. That is the whole meaning of Transitions.

1500

Mr. Adams: In my riding, the recipients face an additional barrier, and that is trying to obtain this assistance in a county where the assistance is delivered by numerous tiny municipalities. Can

the narrowed program envisioned by the committee simplify service delivery for such people?

Hon. Mr. Sweeney: The report clearly identifies two major changes with respect to municipalities. The first one is that the two pieces of legislation we have now—the family benefits legislation, which is entirely delivered and funded by the province and is by far the bigger program, and the general welfare legislation, which is delivered by municipalities and cost-shared 80 per cent by the province and 20 per cent by the municipalities—should be merged into one piece of legislation. The committee that wrote the report felt that the needs of all people were similar—basic needs and transition needs.

The second major point it makes is that only one level of government should in fact deliver the service; it should not be partly the province and partly the municipality. They indicated they would prefer, in most cases, that it would be the municipalities, because they were closer to the people they were serving, but that there should be some very clear criteria to which the municipalities would have to agree if they were going to deliver it.

They also indicated, by the way, that the 20 per cent currently being cost-shared by the municipalities should be absorbed by the province, but that this amount of money should not become a windfall to the municipalities but should be spent on other programs which could be agreed upon between the province and the municipalities.

Mr. Speaker: Thank you.

Hon. Mr. Sweeney: So there are some very fundamental changes with respect to the municipalities in the report.

Mr. Speaker: Order.

SCHEDULING OF MEETINGS

Mr. Wildman: I have a question to the Minister of Tourism and Recreation. In view of the minister's oft-stated comments about his government's commitment to the expansion of tourism in the north and in view of the fact that the Northern Ontario Tourist Outfitters Association is going to hold its annual convention when it always does, in mid-November, in Thunder Bay this year, could the minister explain why he acquiesced to the decision of his colleague the Minister of Northern Development (Mr. Fontaine) to hold the first annual meeting of the northern development councils in Sudbury at the same time that NOTOA will be meeting in Thunder Bay, making it impossible for those members of NOTOA who are represented on the

development councils to attend both conferences?

Hon. Mr. O'Neil: I thank the member for the question. First of all, I might say to the member we do consider that NOTOA is a very important tourism group in the north. We have been co-operating very fully with them. In fact, over the last couple of months I have made three different trips to the north and on those trips have consulted with NOTOA. I have raised this question with the minister, and it is my understanding that the meeting was arranged quite some time ago. I believe he mentioned, and I stand to be corrected, that there is only one person that particular meeting affects.

Mr. Wildman: NOTOA has been holding its meeting at the same time for the last 63 years. Obviously, they planned it some time in advance. If the minister is really as committed to tourism development as he says, surely it is important for the NOTOA representative on the development councils to be able to attend the development councils meeting and to consult with the other members on northern development.

If that is the case, could the minister explain what he is going to do about this and what he is going to do to ensure that the northern Ontario tourism strategy, which has been promised since December 1987, will in fact be available for discussion at both of these meetings rather than remaining buried in the bureaucratic morass of broken political promises, benign neglect, funding cutbacks and confused resource development planning?

Mr. Speaker: It sounds like a good question.

Hon. Mr. O'Neil: I think the member has it all wrong because, just to give him an example, the person he is talking about who will be tied up at that particular meeting, I flew into the lake where she has a resort and consulted with her earlier this summer.

Mr. Wildman: She is very upset.

Hon. Mr. O'Neil: She may be upset, but when I talked to her she seemed quite happy with the job we were doing. It may be that she may have to divide her time between that meeting and attending the NOTOA convention. We are consulting with them very closely and with that particular individual the member has mentioned to try to do everything we possibly can to help the tourist operators in the north.

RETAIL STORE HOURS

Mr. McLean: I have another question to the Minister of Tourism and Recreation. During the

hearings conducted this summer concerning Bill 113, the Retail Business Holidays Amendment Act, the Solicitor General (Mrs. Smith) said: "Tourism is the second-largest industry in Ontario, worth more than \$9 billion each year. It is a fact that tourism is extremely important to Ontario's economy and it is the responsibility of the government to support and encourage it."

Given that the Solicitor General feels so strongly about the importance of tourism and that Bill 113 is largely focused on the concept that tourism, including the activity of shopping on Sundays, is highly valued in this province, would the minister tell the House why he, personally, was not present and was not a key participant in any of the hearings this summer?

Hon. Mr. O'Neil: I can tell the member that my ministry, myself and my officials have been very heavily involved in any of the policy that has been developed concerning that bill and tourism. I can also tell him that no one has been more considerate, co-operative or consultant than the Solicitor General and of more assistance to the tourism business. What the member is saying is not true whatsoever.

Mr. McLean: I do not accept that because the information I have from Tourism Ontario is that the minister had no input into some of the suggestions it had.

Even though the government met with various interest groups this summer, the government's standard response has been that it is impossible to define tourism. Therefore, the government says, "Let the municipalities do it themselves." The government backbenchers voted against our Progressive Conservative amendments to ask 213 willing groups and individuals to assist the minister.

As the defender of tourism interests in this province, why did the minister not show leadership in accepting the help of the municipalities and groups like Tourism Ontario to develop appropriate criteria? Why does the minister not show some leadership in this?

Hon. Mr. O'Neil: Again, the member should be aware that we as a ministry and as a government and the Solicitor General have been listening to and meeting with the different tourist groups across the province. We feel that this bill looks after tourism and that the option is the option of the municipalities. That is what this bill states and this is how we plan to proceed.

LANDFILL SITE

Mr. Owen: I have a question for the Minister of the Environment. The Innisfil landfill site has

had a long and checkered career. More recently it has been established that there were leachates leaving that site and causing a problem for the Innisfil Centennial Park, which is a little further downstream, and also Kempenfelt Bay, which is at the shores of Barrie.

The present ownership has been endeavouring to correct these problems but we have been getting into the headlines in our area with regard to the proposals for the Innisfil site, which is about to become a superdump. I understand that lands are being bought up around the present site and proposals being made that it will be further expanded and will turn into a superdump for the whole of Ontario.

Can the minister give an assurance to the people in Barrie and area that the full provisions of the Environmental Assessment Act will be followed?

Hon. Mr. Bradley: As the member describes this particular proposal—I have not had any proposal come to me in that regard, although I am aware from the same newspaper articles as the member reads that there may be such a proposal—it would come under the Environmental Assessment Act if it meets all the ramifications the member has described.

He has said it would service the entire province, which seems to be a very large area, and the kind of expansion the member is describing is certainly a very substantial expansion. Any such proposal, and I have not seen any such proposal, would certainly come under the Environmental Assessment Act, even though there are a lot of people in the province who do not like the Environmental Assessment Act.

1510

Mr. Owen: According to the media, the ownership is proposing that, in addition to expanding the project and site, it would introduce a system of compacting garbage into pellets or blocks. I wonder if the minister could give us some guidelines as to what criterion is followed with regard to this procedure. Is there a minimum or a maximum that is looked into or allowed by the ministry for this type of process?

Hon. Mr. Bradley: It is difficult, because of the lack of definitive information available to us at the present time, to make that determination. But I can say to the member that when a matter such as this comes under the Environmental Assessment Act, all aspects of it are looked into. In fact, there must be, by the board and by officials of the Ministry of the Environment previous to its going to the board, a full

investigation of any proposal and all ramifications of that proposal which is forthcoming.

I repeat to the member that I have seen no such proposal forthcoming; I am aware only of newspaper reports, as he is, as to such a proposal. But for any of these kinds of proposals, the Environmental Assessment Board and the Ministry of the Environment officials in the waste management branch would have to assess it very carefully.

HOMES FOR THE AGED AND NURSING HOMES

Ms. Bryden: I have a question for the Minister of Health, but while her papers are still here, she seems to have disappeared. Is she in the House?

Mr. Speaker: The Minister of Health?

Ms. Bryden: Last Monday I drew to the House's attention newspaper reports that during the heat wave last July there had been at least 20 deaths of seniors in homes for the aged and nursing homes in the Metropolitan Toronto area where it was suggested that the heat could have been a contributing factor.

In order to clarify the cause of such deaths, the coroner's office held an inquest into the death of Anne Ancliff, a 97-year-old resident of an Oshawa home for the aged, Hillsdale Manor. She was one of five residents of that home who died in July, when the temperature readings reached the high 30s.

Is the minister aware that the coroner's jury completed its report last week and recommended that the provincial government should launch a province-wide publicity campaign to warn people of the health hazards of intense heat and humidity? Has she made any plans for such a publicity campaign to implement the jury's recommendation before next summer so that we can prevent more tragic and untimely deaths of this sort?

Hon. Mrs. Caplan: I thank the member for raising this question. We are all very concerned about the care that people receive, no matter where they are, whether they are at home, in a nursing home or in one of our provincial hospitals. We recognize the importance of taking precautions during heat waves, making sure that people drink enough and that they do not allow themselves to become dehydrated. That kind of information is extremely important. In fact, the ministry had already taken action by alerting our nursing homes to the kinds of precautions they should take for their residents.

I want to thank the member for raising that question.

Ms. Bryden: Most homes for the aged and nursing homes have no air-conditioning and its installation is not required in the building code, even for new facilities. The coroner's jury also recommended that existing homes for the aged and nursing homes institute remedial measures that will improve ventilation and cooling to prevent a repetition of the tragic deaths.

In consultation with the Minister of Community and Social Services (Mr. Sweeney), will she require that the institutions under their joint jurisdictions undertake such remedial measures and ensure that adequate additional funds are made available to the institutions to enable them to carry out the remedial measures recommended by the coroner's jury before next summer?

Hon. Mrs. Caplan: Regulations under the Nursing Homes Act now require adequate ventilation and proper care measures for residents. The ministry is reviewing the results of the coroner's inquiry to see what other appropriate measures should be taken in informing nursing homes about the care of the elderly during heat waves, recognizing that there is a lot of debate about the question of whether or not we should actually take that kind of step, enter into that kind of retrofit, given the fact that we know that a lot of elderly people in fact do not like an air-conditioned environment and that there are often alternative measures that can be taken to ensure that kind of comfort in unusual heat waves such as we experienced this summer.

NIAGARA REGIONAL POLICE

Mr. Runciman: I have a question for the Solicitor General in respect of the public comments we have heard in reference to the royal commission investigating the Niagara Regional Police Force. The principals involved, other than the Solicitor General, seem to agree that the holdup in getting the royal commission under way is the minister and the ministry itself with respect to providing adequate funding to get on with it. She seems, in her public statements, to be interested in seeing this undertaken. Will she commit herself today to providing the necessary funding to see that it does get under way as scheduled?

Hon. Mrs. Smith: The member will be delighted to know that we are providing the funding, as recommended by the judge in charge of this inquiry.

PETITIONS

CANADA POST

Mr. Faubert: I have a petition.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas Canada Post offices have served as a very essential communication link for smaller communities throughout the province; and

"Whereas private and business affairs are vitally served by Canada Post offices in rural Ontario; and

"Whereas the closing or downgrading of Canada Post offices represents a move towards the downgrading and centralization of services in rural parts of this province; and

"Whereas the present federal government is taking a policy trend towards the closing of Canada Post offices in these smaller communities; and

"Whereas the closure of Canada Post offices in this province could represent the equivalent of the removal of such social programs as medicare, the old age security system and other universal safety nets;

"Therefore we, the undersigned voters, hereby petition the government of the province of Ontario to advise the federal government not only to maintain but to improve existing Canada Post offices and services in this province."

This petition is signed by a number of Ontario citizens. I have appended my signature thereto and I hereby submit the petition for the serious consideration of the government.

RETAIL STORE HOURS

Mr. Wildman: "To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas it is the stated intention of the Liberal government of Ontario to change the legislation governing the conduct of business on Sundays; and

"Whereas the Premier and other members of the Liberal government have stated the government's intention to repeal the Retail Business Holidays Act and to dump this responsibility in the laps of the municipal governments, who have already indicated they don't want it; and

"Whereas the Legislature's select committee on retail store hours, representing all three political parties in the Legislature, reported unanimously to the Legislature in May 1987 as follows: 'The committee supports the principle of a common pause day in Ontario'; and

"Whereas the first of 17 unanimous recommendations contained in the committee's report was as follows: 'The primary responsibility for the administration of the Retail Business Holidays Act, or other legislation related to retailing on holidays, should remain that of the provincial government'; and

"Whereas the report also said, 'The committee unanimously rejects the notion of wide-open Sunday shopping for Ontario'; and

"Whereas the Association of Municipalities of Ontario has forcefully put forward its view that leaving the regulation of Sunday shopping to the municipalities is not what its members desire; and

"Whereas a broad array of trade unions, religious organizations, small and large retailers, groups concerned about the quality of life in Ontario, families and individuals have publicly indicated their opposition to the government's intentions, on the basis that it will lead precisely to wide-open Sunday shopping, thereby harming working families and working people; and

"Whereas the government's stated intentions can only increase existing pressures on working people and working families and result in less fairness for them, by reducing their ability to spend time together;

"We urge the Liberal government not to proceed according to its recent statements of intent, but instead urge it to maintain and strengthen the Retail Business Holidays Act; to retain under provincial jurisdiction legislation regulating Sunday work hours; to not pass the buck to municipal governments on this issue; and to give effect to a common pause day for working people and working families in Ontario."

This petition is signed by 34 residents of the Hamilton area, and I will affix my name thereto.

1520

NATUROPATHY

Mr. Daigeler: I have a petition to the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas it is my constitutional right to have available and to choose the health care system of my preference; and

"Whereas naturopathy has had self-governing status in Ontario for more than 42 years;

"We petition the Ontario Legislature to call on the government to introduce legislation that would guarantee naturopaths the right to practise

their art and science to the fullest, without prejudice or harassment."

This petition is signed by some 40 residents of the Ottawa-Carleton area, and I have signed it.

RETAIL STORE HOURS

Mr. Pouliot: I have a petition signed by well over 100 parishioners of St. Peter's Church in Erindale, under the spiritual leadership of Rev. Charles Edwards, addressed to the Lieutenant Governor of the province of Ontario. It reads as follows:

"We, the undersigned members of St. Peter's Church, Erindale, hereby petition the Lieutenant Governor and Premier of Ontario in opposition to any legislation permitting wide-open Sunday shopping in the municipalities of the province of Ontario."

Of course, I have affixed my signature to the petition.

Interjections.

Mr. Pouliot: Mr. Speaker, on a point of order: Under article 134(b), I make it a point here never to interject, and I am asking reciprocity from the three bottles that should be capped at the other end.

Mr. Speaker: I am glad many members are studying the rules.

WORKERS' COMPENSATION

Mr. Wildman: I have another petition to the Honourable the Lieutenant Governor and the Legislature of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We care about injured workers. We protest the Minister of Labour's proposal to change the law that would take away injured workers' rights to permanent disability pensions when they are permanently disabled; that would do almost nothing about the miserable compensation of existing injured workers and their widows, and that would leave the injured workers of the future worse off. Workers who are killed or injured in their work deserve much better treatment than this."

I support this petition wholeheartedly, which is signed by 29 residents of Ontario, and I have affixed my name thereto.

Mr. Laughren: I have a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We care about injured workers. We protest the Minister of Labour's proposal to change the

law that would take away injured workers' rights to permanent disability pensions when they are permanently disabled; that would do almost nothing about the miserable compensation of existing injured workers and their widows, and that would leave the injured workers of the future worse off. Workers who are killed or injured in their work deserve much better treatment than this."

There is a large number of signatures. I did not want to use up the time of the House to count them, but I have affixed my signature to that petition as well.

Mr. Speaker: It would be appropriate to count them prior to giving the petition.

Mr. Reville: I have a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We care about injured workers. We protest the Minister of Labour's proposal to change the law that would take away injured workers' rights to permanent disability pensions when they are permanently disabled; that would do almost nothing about the miserable compensation of existing injured workers and their widows, and that would leave the injured workers of the future worse off. Workers who are killed or injured in their work deserve much better treatment than this."

This petition is signed by 20 residents of Metropolitan Toronto, and I have affixed my signature thereto.

RETAIL STORE HOURS

Mr. Hampton: I have a petition. It is addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario.

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas it is the stated intention of the Liberal government of Ontario to change the legislation governing the conduct of business on Sundays; and

"Whereas the Premier and other members of the Liberal government have stated the government's intention to repeal the Retail Business Holidays Act and to dump this responsibility in the laps of the municipal governments, who have already indicated they don't want it; and

"Whereas the Legislature's select committee on retail store hours, representing all three political parties in the Legislature, reported unanimously to the Legislature in May 1987 as

follows: 'The committee supports the principle of a common pause day in Ontario'; and

"Whereas the first of 17 unanimous recommendations contained in that committee's report was as follows: 'The primary responsibility for the administration of the Retail Business Holidays Act, or other legislation related to retailing on holidays, should remain that of the provincial government'; and

"Whereas the report also said, 'The committee unanimously rejects the notion of wide-open Sunday shopping for Ontario'; and

"Whereas the Association of Municipalities of Ontario has forcefully put forward its view that leaving the regulation of Sunday shopping to municipalities is not what its members desire; and

"Whereas a very broad array of trade unions, religious organizations, small and large retailers, groups concerned about the quality of life in Ontario, families and individuals have publicly indicated their opposition to the government's intentions, on the basis that it will lead precisely to wide-open Sunday shopping, thereby harming working families and working people; and

"Whereas the government's stated intentions can only increase existing pressures on working people and working families and result in less fairness for them, by reducing their ability to spend time together;

"We urge the Liberal government not to proceed according to its recent statements of intent, but instead urge it to maintain and strengthen the Retail Business Holidays Act; to retain under provincial jurisdiction legislation regulating Sunday work hours; to not pass the buck to municipal governments on this issue; and to give effect to a common pause day for working people and working families in Ontario."

This petition is signed by some 37 individuals and I have affixed my name to it.

Mr. Wildman: On a point of privilege, Mr. Speaker: I want to point out to you that I think it is most unfortunate that the privileges of our colleagues in the Conservative Party are most abridged by the fact that none of them is here to hear what is going on.

Mr. Speaker: That is not a point of privilege.

WORKERS' COMPENSATION

Ms. Bryden: I have another petition on the subject of Bill 162, regarding the Workers' Compensation Act. It is from 31 members of the Toronto Caseworkers Working Group in the city of Toronto. It reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We care about injured workers. We protest the Minister of Labour's proposal to change the law that would take away injured workers' rights to permanent disability pensions when they are permanently disabled; that would do almost nothing about the miserable compensation of existing injured workers and their widows, and that would leave the injured workers of the future worse off. Workers who are killed or injured in their work deserve much better treatment than this."

I will sign this petition, along with the 31 others, and submit it to the Lieutenant Governor and the Legislative Assembly.

RETAIL STORE HOURS

Mr. Laughren: I have a petition which reads as follows:

"To the Honourable Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas the Premier and other members of the Liberal government have stated the government's intention to repeal the Retail Business Holidays Act and to dump this responsibility in the laps of the municipal governments, who have already indicated they don't want it; and

"Whereas the Legislature's select committee on retail store hours, representing all three political parties in the Legislature, reported unanimously to the Legislature in May 1987 as follows: 'The committee supports the principle of a common pause day in Ontario'; and

"Whereas the report also said, 'The committee unanimously rejects the notion of wide-open Sunday shopping for Ontario'; and

"Whereas the report commented as follows on the impact of wide-open Sunday retailing on working people and working families: 'The committee strongly believes that wide-open Sunday shopping in Ontario would represent an added pressure in our fast-paced society and a strain upon the family structure'; and

1530

"Whereas it continued: 'This strain would be imposed particularly on the families of retail employees, many of whom are women, who might then be required to work on Sunday. The committee also believes that wide-open Sunday shopping would have an adverse impact upon

common time together for primarily female-led, single-parent families'; and

"Whereas the report continued as follows: 'Similarly, it is recognized that on Sunday, child care facilities are not generally available, public transit operates on reduced schedules, and open Sundays could lead to the need for more publicly sponsored family support services. All of these factors would impose unwarranted and unnecessary strain upon the family which is regarded as a key pillar of Ontario society'; and

"Whereas the Ontario government submitted a report prepared by its own women's directorate to the 1987 annual conference of ministers responsible for the status of women, and that report noted the need for greater government sensitivity to changes in hours of work and hours of business in terms of 'recognizing the need for time to be set aside when all families can be together' and the need to 'ensure that common time off is set aside when all families can be together'; and

"Whereas the government's stated intentions can only increase existing pressures on working people and working families and result in less fairness for them;

"We urge the Liberal government not to proceed according to its recent statements of intent, but instead urge it to maintain and strengthen the Retail Business Holidays Act, to retain under provincial jurisdiction legislation regulating Sunday work hours, to not pass the buck to municipal governments on this issue and to give effect to a common pause day for working people and working families in Ontario."

I have, of course, signed that, along with 19 lines of people; in some cases it is a husband and wife who have signed, so that I did not add up all the individuals on the petition. There are a little over 20 people—

Mr. Speaker: Thank you. This might be the appropriate time to remind the members— I have listened very carefully to a number of the petitions. The standing order states that the member may present the petition, give the number of people who have signed the petition and include the material allegations, in other words, not necessarily put all the reasons for the allegations contained in the petition. Just to be helpful and to ease the effort of reading the petition.

Mr. Reville: "To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We are opposed to open Sunday shopping and want to retain a common pause day in Ontario."

This petition has been signed by about 200 people. I will affix my signature thereto.

WORKERS' COMPENSATION

Mr. Hampton: I have a petition from the Union of Injured Workers.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We care about injured workers. We protest the Minister of Labour's proposal to change the law; that would take away injured workers' rights to permanent disability pensions when they are permanently disabled, that would do almost nothing about the miserable compensation of existing injured workers and their widows, and that would leave the injured workers of the future worse off. Workers who are killed or injured in their work deserve much better treatment than this."

It is signed by some 34 individuals, and I have affixed my signature to it.

RETAIL STORE HOURS

Mr. Reville: "To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We are opposed to open Sunday shopping and want to retain a common pause day in Ontario."

This is signed by approximately 240 residents of Sudbury, Ontario, and I affixed my signature thereto, and warn the member for Sudbury (Mr. Campbell).

Mr. Laughren: "To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario, as follows:

"We believe in the importance of keeping Sunday as a common pause day so that all people may have physical, spiritual and social health. We are concerned about the quality of life and the wellbeing of the people of our province and we object to the further commercializing of life through the Liberal government's proposed Sunday shopping legislation."

I have signed this petition, Mr. Speaker, along with nine other persons.

MOTION

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon. Mr. Conway moved that Mr. Sola and Mrs. O'Neill exchange places in the order of precedence for private members' public business.

Motion agreed to.

Mr. Reville: I have a motion that unanimous consent of the House be given to withdraw a bill—

Mr. Speaker: Order. It has been suggested that should done at orders of the day.

Mr. Reville: I apologize. We will do it again.

INTRODUCTION OF BILLS

OCCUPATIONAL HEALTH AND SAFETY AMENDMENT ACT

Hon. Mr. Sorbara moved first reading of Bill 180, An Act to amend the Occupational Health and Safety Act.

Motion agreed to.

CITY OF OTTAWA ACT

Mr. Morin moved first reading of Bill Pr6, An Act respecting the City of Ottawa.

Motion agreed to.

LEGISLATIVE ASSEMBLY AMENDMENT ACT

Mr. Epp moved first reading of Bill 181, An Act to amend the Legislative Assembly Act.

Motion agreed to.

Mr. Speaker: Does the member have an explanation?

Mr. Epp: The principal purpose of the bill is to prohibit the service of civil process in the Legislative Building, a room or place in which a committee of the assembly is meeting or in an office of a member of the assembly, other than a constituency office, that is designated by the Speaker. Breach of the prohibition would be dealt with as a contempt of the assembly.

The bill also deletes reference to the archaic concept of molestation in a civil cause.

ORDERS OF THE DAY

WITHDRAWAL OF BILL 111

Mr. Reville moved that unanimous consent be given that the order for second reading of Bill 111, An Act to amend the Legislative Assembly Act, be discharged and the bill withdrawn.

Motion agreed to.

1540

WITHDRAWAL OF BILL 112

Mr. Epp moved that the order for second reading of Bill 112, An Act to amend the Legislative Assembly Act, be discharged and the bill withdrawn.

Motion agreed to.

WORKERS' COMPENSATION
AMENDMENT ACT
(continued)

Resuming the adjourned debate on the motion for second reading of Bill 162, An Act to amend the Workers' Compensation Act.

Mr. Speaker: I believe the Minister of Labour adjourned the debate.

Hon. Mr. Sorbara: As you noted, Mr. Speaker, I had an opportunity yesterday to make a few introductory remarks on Bill 162, and what I would like to do now is to direct my attention to the bill itself.

The worker compensation system was created to help injured workers and their families cope with the consequences of workplace illness and workplace injury. Over the decades, inequities have appeared in the system. There have been piecemeal administrative efforts to address these inequities, efforts which, in turn, have generated new problems.

The system has needed reform of its very foundations. Bill 162 is the instrument of such reform. First, it ensures that injured workers have a fair and genuine opportunity to return to work once they are able. Second, it ensures the fair and appropriate financial compensation of workers who suffer permanent impairment because of workplace accident and disease.

The bill contains a number of measures concerning financial compensation. Key among them is the institution of a dual award system for permanent disability. That system will compensate workers for the economic losses that they experience as a result of workplace injury. It will also explicitly recognize for the first time in Ontario the noneconomic losses associated with permanent injuries.

Today, if a worker is hurt on the job and ultimately suffers a permanent impairment, the decrease in the worker's capacity to function is rated and the worker is compensated accordingly. The rating is clinical, however. It bears no relationship to the kind of work the worker does. For example, a construction worker and an accountant will get the same pension for the same hand injury even though the construction worker

obviously has a profoundly greater need for the use of his hand to do his work.

Now workers will be compensated for their loss of earning capacity through the regular payment, set at 90 per cent of their projected after-tax economic losses. Like all Workers' Compensation Board payments, these payments will be tied to the consumer price index.

Under the provisions of Bill 162, the initial determination of an injured worker's economic loss due to impairment will normally be made within 12 months of the injury, and the Workers' Compensation Board will establish a compensation level. This level will be reviewed twice: first, 24 months after the first award, and second, 36 months after the first review.

Compensation for economic loss will be paid until age 65, when retirement income starts to flow to the injured worker. That retirement income will include a retirement pension from the Workers' Compensation Board to compensate for the loss in capacity to save for retirement. To finance this retirement pension, the WCB will contribute an extra 10 per cent of the value of the permanent disability claimant's compensation for lost earnings to a separate retirement pension fund.

As I said when I introduced Bill 162, the new approach to tying compensation more closely to economic loss means that we will finally be able to throw away the meat chart as the basis for determining compensation awards for economic loss. I want to add also that board decisions on wage loss payments will be subject to the same appeal process, including appeal to the Workers' Compensation Appeals Tribunal, as currently apply to board decisions and awards.

Bill 162 measures to compensate for noneconomic loss are meant to address such matters as psychological distress or the loss of capacity for leisure activities. The award for noneconomic loss will vary with the degree of impairment and the worker's age. The maximum will be \$65,000 for a worker who is 25 years old or younger and who suffers total impairment; a maximum, I emphasize, that is the largest of any in Canada.

The degree of impairment will be determined by medical practitioners and will be appealable to a medical referee acceptable to both worker and employer. It will not be appealable to the Workers' Compensation Appeals Tribunal, and there has been much concern expressed about that.

In my view, the questions about the degree of impairment are medical questions, not legal or

administrative. That is why the bill proposes a medical referee.

This medical refereeing process will be detached from the operations of the WCB, just as the appeals tribunal process is detached. Once an award for noneconomic loss has been set, it will be final unless there is a significantly greater than anticipated deterioration in the worker's condition. In that case, the award will be subject to reconsideration.

If an award for noneconomic loss is greater than \$10,000, the worker will have the choice of taking payment in one lump sum or converting the award into a lifetime pension.

Bill 162 also provides for an increase in the ceiling for financial compensation for injured workers. If a system that compensates for lost earning capacity is to work properly, it must insure a large proportion of workers' earnings. Under the current compensation act, the maximum gross earnings upon which benefits are calculated and assessments determined—the covered earnings ceiling, as it is called—is \$35,100 per year. This is approximately 140 per cent of the average industrial wage. The annual earnings of about 470,000 workers in Ontario are greater than that.

This legislation will raise the ceiling to 175 per cent of the average industrial wage, which would currently come to approximately \$44,000 per year. The increase will take place in two phases: first, to \$40,000 in the January following proclamation of the amendments, and then to the 175 per cent level one year later. Approximately 98 per cent of the workers covered by the act earn up to 175 per cent of the average industrial wage.

As I suggested at the outset, the workers' compensation system exists to help workers and their families cope with the consequences of workplace injury and illness. In some respects, the most devastating consequence of all is the inability to get back to work. If the workers' compensation system in Ontario is to be comprehensive, it must provide injured workers with a genuine opportunity to reconnect with the activities, stimulation and status of work itself.

Bill 162 seeks to do that in a number of ways—ways that closely reflect the themes of the Ontario Task Force on Vocational Rehabilitation Services of the Workers' Compensation Board.

The bill provides for earlier and more effective vocational rehabilitation efforts on behalf of injured workers. It addresses the obligation of employers to help injured workers return to work. It moves vocational rehabilitation to the centre of the WCB compensation agenda. So as

to ensure early and effective intervention and assistance, Bill 162 obliges the WCB to make contact with injured workers who have not returned to work within 45 days of filing notice of their accident. This contact is meant to identify the worker's need for vocational rehabilitation services. Where the WCB determines that such services are appropriate, it is obligated to provide them.

1550

Furthermore, the board is required to offer a vocational rehabilitation assessment and subsequent appropriate services to an injured worker within six months of filing notice if that worker has not returned to his pre-injury workplace, if he does not have comparable work or is not already receiving vocational rehabilitation services.

Beyond that, the board is obliged in the bill to design a vocational rehabilitation program in consultation with the worker and, where possible, in consultation with the employer and the treating physician.

In July the WCB announced a new vocational rehabilitation strategy consistent with the bill's requirements. It is undertaking several pilot projects to test the implications of this new strategy.

As I mentioned a moment ago, Bill 162 obliges the WCB to include the employer, where possible, in the planning of vocational rehabilitation programs for the injured worker. This participation is intended primarily to help ensure an effective program for the worker that results in a return to work. However, it also helps to maintain the employer-employee relationship and therefore facilitates the injured worker's reintegration into the workplace.

Another measure included in Bill 162 will act to strengthen the employment relationship and, at the same time, provide additional financial assistance to the worker. The bill requires employers to maintain an injured worker's health care, life insurance and pension benefits during the injured worker's absence from the workplace. This provision will protect injured workers from the sudden loss of these benefits.

The obligation to continue these benefits is contingent upon the worker's maintaining his contributions where the benefits plan requires such contributions from the injured worker. The obligation stays with the employer for up to one year after the injury.

Once the worker is able to return to work, Bill 162 obliges the employer to reinstate the worker either to the position held before the injury or to comparable employment or, if the worker cannot

perform the pre-injury work, to the first suitable and available opportunity.

This obligation covers injured workers who have had at least one year of continuous service in the jobs they performed prior to their injuries, and it runs for two years after the date of the injury, one year after the date that the worker is available for work or until the worker's 61st birthday, whichever is the earliest.

An employer's failure to meet that requirement will result in financial penalties equal to 90 per cent of the injured worker's net earnings for a year. The only exception to this specific obligation to reinstate injured workers will be in the construction industry, where work patterns make it impractical, and in situations where employers regularly employ fewer than 20 employees. If a worker thinks that the employer has not met the reinstatement obligation, the WCB will investigate and effect a resolution of the dispute.

This process is being put into place in order to ensure that the workers' problems with reinstatement can be dealt with in a manner that does not expose workers to long delays before they can return to work.

As I have said, the WCB will impose substantial penalties on employers who do not live up to the new statutory obligation to re-employ their injured workers.

Finally, honourable members will recall that there are now approximately 116,000 Workers' Compensation Board permanent disability pensioners. The lifetime pensions currently being paid to these men and women will be continued and will remain indexed to the rate of inflation.

For roughly 20,000 of these pensioners, the amount of money they are receiving now falls short of their actual loss of earning power. Bill 162 provides a supplement to these clinical impairment pensions equal to the full monthly pension payable under section 3 of the Old Age Security Act. These payments will be adjusted for inflation and reviewed on the same basis as those provided under the new system.

There, then, are the main thrusts of Bill 162: fair financial compensation through a new dual award system, rehabilitation and reintegration into the workforce, all introduced in a cost-neutral system. They represent the conclusion of one round of historic reforms of the system and constitute the prologue to another.

As I have told this House, next year I expect to be issuing a green paper to inform and animate the public discussion of additional issues, such as the improvement of services in northern Ontario and the impact of the worker compensation

system on small businesses. These too require discussion and consultation as a basis for further reform. But that is for the future; Bill 162 is for the present.

The culmination of close to a decade of exhaustive study and debate, it creates fairness, more effective protection of the rights of injured workers and broader opportunities for people to return to work that they are capable of doing. I am proud, Mr. Speaker, to bring it before you for consideration. I look forward to the constructive comments and considered proposals that will ensue, no doubt. I look forward to seeing Bill 162 out of this assembly to a committee and, ultimately, into the heart of the worker compensation system, which will be fairer and more effective as a result of it.

Miss Martel: It certainly is a pleasure to lead off on the debate of Bill 162 on behalf of the New Democratic Party. I must say as well that it is a pleasure to be the NDP critic for the Workers' Compensation Board in this province.

I suppose it is appropriate that I have become the critic of the compensation board in the last month and a half, because I know a little bit about the system. I worked for the compensation board for eight months before I actually ran and was elected to this place. At this point in time, I am not sure which one is better.

I can honestly say to members of this House, and to the minister as well, that I bring a different perspective to it than he or anyone else in here possibly can. As I say, I worked there. I had to deal with this legislation. I had to deal with the way the compensation board in this province takes legislation, twists it around and uses it to maximize its own purposes and intent.

I should point out to members that the Workers' Compensation Act—I am sorry I do not have a copy of the actual act with me—is about this thick. When you go to work for the board or if you take a walk down to the board and go in, you find out that, in fact, the administration has taken that act and has developed from it six manuals—they are each about this thick—of how it interprets that legislation and how that legislation will be used in the board and applied to injured men and women across this province.

Let me tell the House that on many occasions I have found that the intent of the legislation and the spirit of that legislation have been completely undermined by the board when developing policy. It has interpreted it in any way it chose, because it has tremendous discretionary power under the act.

On many occasions when going through the policy manuals and trying to apply the legislation, I have found that the whole spirit and intent of members of this House were completely undermined by the administration. And that worries me, because I go from that experience, after working there, after having to deal with policies the board has made, and I look at this bill. I am extremely disappointed and, I must say, I am probably afraid that this bill gives even more discretionary power to the board to twist legislation in any way it chooses, to its own benefit. I have read it thoroughly on more than one occasion, and that is my reading of it, as someone who worked there, as someone who understands the legislation and as someone who had to deal with the legislation when working with injured workers. I must say that what I will try to do here today is to bring some of that insight to members of this House and to the minister as well.

1600

In beginning, I suppose it is no surprise to anyone in the House, and certainly not to the Minister of Labour (Mr. Sorbara), that the New Democratic Party will be opposing this bill. We will bitterly be opposing this bill for a number of reasons that I will get into.

I think it is safe to say, though, and I should point out right away as I begin, that this party is not historically obliged to oppose legislation regarding compensation. We do not look at Bill 162 and the debate on second reading as yet another attempt to slam the Workers' Compensation Board and kick it in the head one more time. I am sure it will happen during the course of this debate, but it certainly is not our intent, in beginning, to say that this is where we come from, this is the history of our opposition to compensation.

Maybe I should go back and just remind members of this House that in 1985 this party did indeed support Bill 101 and those amendments to the Workers' Compensation Act. I can safely say that our opposition is not historical and is not motivated by some deep-rooted theory to oppose continuously on compensation matters.

But Bill 101 was quite a bit different. It contained some very good things on behalf of injured workers. Let me give members some examples for those who were not here. It established the Workers' Compensation Appeals Tribunal, which was a tribunal that had long been asked for by people like Paul Weiler, who stated that you had to have an independent tribunal to look at some of the ridiculous and outrageous

decisions coming out of the board and actually try to deal equitably and fairly with workers. That was the intent behind WCAT. It has been very good. It has backed off a bit in the last couple of months as the pressure from the employers comes on, but certainly we supported it because it was a good idea. It made the system fair. It actually gave workers the right to appeal outside of the board and outside of the board's most ridiculous decisions and structures.

As well, there was an increase in survivors' benefits, which dramatically changed the situation for spouses whose husbands had died or whose wives had died on the job in Ontario. It provided for the first time worker reps to actually sit on the Workers' Compensation Board's board of directors, and that was a good thing. It has not gone far enough. We do not yet have an injured worker sitting on that board, but I hope that will come. It is too bad that that is not incorporated in this piece of legislation.

I must say, again, that the changes contemplated under Bill 101 were good, solid, meaningful changes to the Workers' Compensation Act, and that is why we supported them. They made the system more fair and more just for injured workers, and there was little opportunity for the Workers' Compensation Board to use its discretionary power in ways to abuse the spirit of this legislation.

Mr. Polsinelli: They did nothing.

Miss Martel: I can hear the member saying they did nothing. I would tell him that maybe he should take a look at what was actually passed, because there were some very good things. That is why we supported it.

Bill 162, the legislation before us, does not equal Bill 101. It certainly does not reflect in any way what we supported in 1985. If there is a comparison that can be made, it is probably this. Under Bill 101, we saw the introduction of the Workers' Compensation Appeals Tribunal and we rejected the dual award system; in fact, the Tories did not even put it into the bill after the standing committee on resources development looked at it. Under Bill 162, we now see that there is every attempt to undermine WCAT and the working of WCAT by not allowing certain appeals to go to it and, on the same hand, we see the reintroduction yet again of the dual award system.

I must say we are faced with a very different situation than we were in 1985, and I must say that the reason we are opposing it, as I will outline, comes from those very facts, that what we are faced with is much different from 1985.

It is funny that some of the same people I have been dealing with on this bill are the same people who fought the dual award system in 1983, in 1984 and again in 1985. It should be no surprise to anyone that those people from the clinics, from the trade union movement and from the injured workers' groups are also back to fight this bill.

I want to point out very specifically to the minister and say to him that we in the NDP have joined that fight. We are not manipulating that fight or those injured workers or injured workers' concerns, as the minister suggested in the newspaper this week when he said, "The campaign against this bill is created by the opposition parties, who have traditionally manipulated the concerns of workers."

I want to say that if you look at the track record of this party, you will find out very quickly that we have consistently been on the side of injured workers in this province, and we will not change that stand. It is incredibly naïve of the minister to say that we are manipulating or that we are leading that fight. We are certainly trying to lead that fight in this House, but let me remind him again that the opposition to this bill has been growing throughout this summer. It has been growing in particular in Metropolitan Toronto and it is starting to spread across the province. We have joined that and we are pleased to join that fight.

I want to give my colleagues and the other members of the House a bit of information about how that fight has been going. When I tapped into this network of opposition—it was just after I became the critic near the end of August—many critiques on the bill had already been prepared and presented.

In fact, one week after the bill had been introduced, the Ontario Federation of Labour had done a critique on it and had already sent that to the minister. The legal clinics as well had met as a group with representatives from the trade union movement and injured workers' groups, and several of them had prepared critiques and put them into a package that they had prepared for people who wanted to oppose this bill, with reasons for which we would oppose this bill.

When I joined the network, they had already set up eight community meetings that ran in September and October to invite injured workers to come and hear why their representatives, those people who are representing them against the board, actually felt this bill would not be in their best interests. Those were carried out right across Metropolitan Toronto and in Mississauga as well.

Finally, the Ontario Federation of Labour, which had reacted quite quickly to this bill at the end of June, had also at that point organized a weekend conference on workers' compensation and this bill in particular. That conference was held at the end of September, and over 250 representatives from the trade union movement—those who deal with compensation—actually ended up showing up to go through a weekend debate on why this bill was bad, why they should talk to their membership about it and why they should oppose it.

I want to reiterate again that the network of opposition out there includes the trade union movement, it includes the legal clinics and it includes injured workers' groups. The opposition is growing and it is widespread. We have tapped into it, and I want to reiterate that we are pleased to do so.

I want to spend some time speaking on this bill, I think for three reasons.

The first is that it is indeed a very major piece of legislation. It is the greatest amount of reforms to the system—and I use "reforms" very loosely—that we have seen since Bill 101 in 1985. If passed, it will affect injured workers, those hurt in the future, those who in the future will require rehabilitation, those who will require recognition of permanent disabilities and those who will need job security. It has dramatic future implications that I do not think many people yet realize.

I must say, after reading it and after some of my colleagues have gone through it, that we can state today that this bill cannot and will not be rushed through this Legislature. We will not accommodate anyone who wants to push it through, and that is why we have pushed so hard this week for full and public hearings around the province on this bill, because it has tremendous implications and the public has got to be aware of what it entails. The minister will not get this bill by December, as he said to me he would like or as he said in the paper on Monday he would like. In fact, we will ensure that there will be full public hearings on this so that everyone can see exactly what it is about. I think we did get a commitment on that this morning.

I think the second reason I am going to spend some time is that the legislation is very complicated. It is difficult even for those people who deal with compensation daily, and I think the real problem in this House is that there is a large number of members who have not read it and may not read it and may depend on either their critic or the minister to carry the day.

1610

I am urging members to seriously take a look at the bill. See how the discretionary power of the board is going to be increased. See the many occasions in the bill where the board has to deliver services where the board considers it appropriate and not where the legislation states the board will provide services; that occurs many times. I think members will see and understand, as I did from someone who worked there and saw how legislation was undermined, that there is real potential for the same thing to happen here.

Third, this bill represents very bad legislation. I want to assure the minister that I have read it many times. I have read it thoroughly many times. I have looked at it as well in conjunction with people, from the legal clinics in particular and from the trade union movement, who deal with compensation every day, whose job it is to understand this act and to fight on behalf of injured workers. They have gone through it very carefully, as a group and individually, and have come together to critique it and state their opposition to it.

After reading it, there are a couple of things we have figured the bill will not do. These are simply: It will not make compensation in this province any fairer, it will not provide security to injured workers and it will not make the system more just. What it will do, after our reading of it, is it will tremendously increase the discretionary power of the board, it will decrease both the rights and benefits of injured workers in this province and it will cause, at 2 Bloor Street East, an incredible bureaucratic nightmare, which will spread to all the regional offices of the WCB right across this province.

Before I begin my analysis, and I am getting to it, I want to deal with two pressing issues that should be gone through. The first is that the minister has stated, and he has done it on more than one occasion, that those who oppose this bill do so because they have not read it. I will say to him that is fine in the House, as we square off, he and I, because that is part of the political process here. We can expect that and so can other members of the Legislature.

But he is making a grave mistake when he suggests that those who are opposing the bill outside this Legislature do so because they have not read it and implies that they do not know what they are talking about. Those people deal with compensation every single day; every working day they have to deal with this bill and its implications for their workers. They know more about compensation than he and I will ever

know. In fact, they have probably forgotten more about compensation than we will ever know. They know more about Bill 162 than any member in here; that includes myself, and I am not ashamed to say it. The minister may not like their opposition, but he cannot say it stems from their ignorance, because it does not.

I must say that he does some damage to himself when he states that those people opposing it have not read it and do not know what they are talking about. That is fine between him and me, but I should advise him that he should be very careful when he states that about other people outside this House who are opposing it.

I guess the second thing I want to make an issue of, because the minister himself has made an issue of it this week—

Hon. Mr. Sorbara: You know I never said that. It makes a marvellous speech, but you know I never said that.

The Deputy Speaker: Order.

Miss Martel: Let me respond to that, Mr. Speaker. The minister and I had a debate on Sunday night on Maclean Hunter Cable TV. The second half was a phone-in. He will recall that one of the calls that came in last, and in fact was not on the air, was from a gentleman who actually said he opposed the bill. The minister said to him, "Have you read the bill?" He said: "No, I haven't. I talked to my rep. They said it was bad." The minister said, "Maybe you should read the bill and you will find that you will not oppose it." In question period on the first day this House resumed, when I got up and said the bill was bad, the minister stated in his response to the supplementary on the first question that maybe I should read the bill.

That is fine. There are a lot of us out here in this Legislature, and out there, who are reading the bill. The minister has stated on more than one occasion that they have not read it and that is why they are opposing it. I suggest he go back and check some of his remarks, both in the paper—

Hon. Mr. Sorbara: Not true.

Miss Martel: You can shake your head, and that is fine, but we will go through it. Check some of the remarks you have made, because I have heard it more than once.

The Deputy Speaker: Order, please. I recognize one member at a time. And the person talking will address his or her remarks through the Speaker. I think that will make it easier.

Miss Martel: Thank you, Mr. Speaker. The second thing I want to look at, and I think it is most pressing that they deal with it, goes back to

what has been happening in the House this week; that is, the minister's anger—I do not know if it is feigned or not, but we will find out—and suggestion that the New Democratic Party has misled the public over this bill.

I have always understood that before you make accusations about statements by other members or other parties or any information put out by those people, you check your own house and find out exactly what you have said on the issue beforehand. I think the minister is certainly not in a position to accuse anyone about misleading anyone on this bill.

Just to make the point, I decided to go into the backgrounder put out by the ministry on the bill and I decided to go back to the minister's statement, which he made in this House June 20, on this bill and compare what was put into the backgrounder and the minister's statement versus the legislation itself. Let me just go through this.

On the first discrepancy, in the backgrounder, on page 11, it talks about the new system and how the new system will work. In particular, the section here deals with earnings ceilings. It says:

"In the new system the worker would receive temporary total disability compensation of \$556.17 per week. This is significantly higher than the corresponding payment in the old system, because the worker would benefit from the rise in the covered earnings ceiling (a ceiling of \$44,000 is assumed in this calculation)."

If I go to the legislation, on page 4 of the bill we discover that the ceilings in fact are laid out quite clearly. On the day that the bill is passed the first ceiling will be \$35,100; on January 1, a year after the bill is passed, the ceiling will go to \$40,000; two years after that, the ceiling will be 75 per cent of the average industrial wage in the province.

Hon. Mr. Sorbara: It is 175 per cent.

Miss Martel: Excuse me, 175 per cent of the average industrial wage. I will admit my error there.

Nowhere in the legislation is there any reference to a \$44,000 ceiling, and when we go back to what appears in the backgrounder, I have to wonder if the new ceiling, the new benefits the worker is going to get, which the minister is trying to sell people on, are based on that ceiling or not, because if it is, it certainly is a misrepresentation of what is actually in the bill.

Let's go to another one. The second area refers to compensation for lost earning capacity; that is, if you go back into the bill, the dual system itself, the loss of earning benefits that the minister has

outlined. This is what it says in the backgrounder:

"The fully indexed benefit established at the second review will continue until the worker attains the age of 65. At such time, the earnings loss award will be replaced with a retirement pension."

What does it say in the legislation? It says the fully indexed benefit I have just referred to will continue "up to the time that the worker reaches 65 years of age, as the board considers appropriate in the circumstances." That is quite a bit different from what the minister stated in here. There is no guarantee at all, is there?

The minister has said here that people will get it up to age 65, no problem, but if you go and look at the legislation, you find out that it is left to the discretionary power of the board. If they consider it appropriate, they will then allow it up to age 65. I think those are quite two different matters we are referring to.

Let me continue, because there is more. Let me go to the statement that the minister made in this House the day this bill was introduced. Again, it refers to the section on the compensation for future loss of earnings, which I have just referred to. The minister said:

"Some workers who are injured in the future will receive more money than they would have under the old system; some will receive less. But all of them will receive what they need to make up for their loss of earning power."

That is pretty specific: "...all of them will receive what they need to make up for their loss of earning power."

1620

Let's go back to the legislation. Members will find that on pages 7 and 8, under section 45a of this legislation, the legislation is quite specific. It states:

"90 per cent of the difference between,

"(a) the worker's net average earnings before their injury...; and

"(b) the net average amount that the board considers that the worker is able to earn after the injury in suitable and available employment."

That says to me that there is nothing in here to do with the actual loss of earning power. This bill does not represent 90 per cent of the actual loss; it is based on what the board considers the worker is capable and able to do after the injury. He may not be able to do anything or he may be capable of doing something; but it is up to the board to determine this job for him, and it will base the earner's capacity on that, not what he earns, not what the actual wage loss is.

Mr. Polsinelli: Is that appealable to the Workers' Compensation Appeals Tribunal?

Miss Martel: I am not sure, because the legislation does not say, but in an analysis on this which was done by the ministry, we have that it is not appealable to WCAT. So we are not quite sure on the reading of that.

I must say, though, that the Canada pension plan is also integrated; so it will not be half as good as the permanent pension, which is not integrated with CPP.

The Deputy Speaker: Please address your remarks through the Speaker.

Miss Martel: Thank you, Mr. Speaker.

I go back to the statement the minister made the day this legislation was introduced. I want to go to a very important section. It is the rehabilitation provision in this bill. The minister said in his statement:

"The WCB will be required to make contact with injured workers within 45 days of their injury and provide prompt rehabilitation services where appropriate. Injured workers who have not returned to employment within six months of an injury will be entitled to a formal evaluation of their need for vocational rehabilitation and to subsequent appropriate services."

That sounds to me as if once you do the rehabilitation assessment after six months, you are guaranteed subsequent appropriate services. But if members go to the bill under section 54a, they will find out it does not say anything of the sort. In fact, it reads as follows:

"(6) The board shall contact every worker,

"(a) who has not returned to his or her pre-injury employment or to alternate employment of a nature and at earnings comparable to the pre-injury employment within six months...

"in order to offer the worker a vocational rehabilitation assessment...."

That is all it says. It says nothing like "the board will be obliged after the assessment to provide appropriate rehabilitation services," absolutely nothing.

The point of all this is simply this. I do not think the minister is in any position to accuse anyone of anything on this bill, but if he wants to get into a mud-slinging match on this, then we will. I must say that if that happens, I think I will win.

Mr. Reycraft: Is that a threat?

Miss Martel: He has gone on about it all week, so I thought I would respond to it.

I want to get into the details of the bill. I am going to spend some time in each of three

sections, actually. They are, for us, probably the most onerous details of this bill and the reason we will not be supporting the bill.

Mr. Mahoney: We have only got an hour and 40 minutes to go, Shelley.

Miss Martel: I am getting there. We might carry this to Monday.

Interjections.

The Deputy Speaker: Order. One member at a time. The member for Sudbury East has the floor.

Miss Martel: Thank you, Mr. Speaker. I want to begin with the rehabilitation section because it is the one thing the ministry has really been hanging its hat on in this whole bill. It has certainly implied throughout anything it has written that it has followed up the recommendations of Majesky and Minna; so I think it is really important that we go back to the report done by Majesky and Minna and spend some time on it to find out exactly how they said the board should change the system and make rehabilitation meaningful at the Workers' Compensation Board.

The members of this Legislature will know that the Minister of Labour in May 1986 actually established the task force. It is important to remember as well that the task force was made up of not only labour reps but also employer reps and people from the medical profession; so it was a fairly broad-based group representing the interests of both sides of the compensation system, not just workers. It was headed by Majesky and Minna.

The task force spent more than a year studying the system. It spent quite a bit of money, and in the end it published an absolutely damning report of vocational rehabilitation as provided at the Workers' Compensation Board. It was just absolutely incredible, and it was incredible to me that the government sat on it for such a long time, as it did, but maybe that was because it is so damning.

I want to go back to the report and take a look at what they said. In the final statement the task force said this:

"The experience of the task force in the past year was long, painful and emotionally wrenching. The tales of injustice, neglect and rejection recounted by the injured workers throughout the province were so harrowing as to leave the task force members disgusted and frustrated."

The WCB "has failed to recognize the emergence of a society that is more understanding of the needs of the disabled." It is unrespon-

sive "to the fact that hundreds of thousands of workers have become partially or totally disabled in the past years and that society cannot ignore or reject them."

Let me go a little further, because they made some very careful statements on rehabilitation and what should be provided.

Before I get to that, they have said, "In effect, the WCB does not serve the rehabilitation needs of all injured workers and those who are referred are served inadequately."

The purpose of rehabilitation must be not only to provide vocational assistance but also to restore the injured worker to his or her maximum physical, mental, social, vocational and economic usefulness.

In summary, they said:

"Clearly there are unions, employers and groups of injured workers who have taken a leadership role in attempting to change the system. However, there are far too many who do no more than is required by law.

"Changing a monolithic system such as the WCB requires involvement by caring persons at all levels. But, first of all, it requires the government to enact new legislation and to translate it into change throughout the system."

Based on that, and as the government has said it followed those recommendations and the task force report quite carefully, you would have thought that there would be some very important changes concerning rehabilitation incorporated into this bill. You would have thought that, as the minister said, rehabilitation would become the centre of the workers' compensation system.

I want to take some time to go through exactly what this legislation states about rehabilitation and compare that to what Minna-Majesky said had to happen at the Workers' Compensation Board.

Let me begin by looking at the section called "The Right to Total Rehabilitation." The task force people recommended this:

"Any worker who sustains a serious injury or a debilitating disease linked to the workplace shall have the statutory right to all rehabilitation required by that worker. Rehabilitation shall be defined as 'to assist workers who have suffered occupational injuries or debilitating diseases linked to the workplace in the process of restoration, to their fullest physical, mental, social, vocational and economic independence to the maximum possible extent.' Serious shall be defined as a situation in which the worker is unable to return to the job within 30 days of injury."

That is pretty specific—statutory right to all workers after 30 days because their condition will be considered serious. On the extent of rehabilitation, the requirement is fairly broad. But what does it say in the legislation? In section 54a, the legislation says:

"Where, in the opinion of the board, a worker should be provided with a vocational rehabilitation program, the board...shall design and provide the worker with a vocational rehabilitation program."

"Where, in the opinion of the board"—that is absolutely key. It was a fundamental principle put out by the task force. They stated that every worker who had not returned to work after 30 days had a statutory right to rehab. This is a far cry from a statutory right to rehab. In fact, this is a farce. It does not even come close to what they have said.

But there is more. The task force also recommended that all cases in workers' compensation which have been open more than 30 days but not referred to vocational rehab services be referred for service under the broader definition of rehab. Within 30 days they should go to rehab and get the services they require.

What does the legislation say? Basically this:

"The board shall contact every worker who has not returned to work within 45 days...for the purpose of identifying the worker's need for vocational rehabilitation services, and the board shall provide such services to the worker if the board considers it appropriate to do so."

1630

Again, if the board considers it appropriate; not that the worker should have the statutory right to expect it but only if the board decides that it will be appropriate. I cannot believe the minister can leave such discretionary power to the board to do that. He knows that if it does not have to provide service it will not. That was the problem Minna and Majesky found. But he has refused to take it upon himself to put into place some legislation to respond to that.

There is another one. The recommendation from the task force: "That the board take a proactive role in identifying those injured workers who have not received, have been denied or were never referred to rehabilitation services and that the board accept the responsibility of supplying satisfactory rehabilitation services and ensuring financial security." The board has to accept the responsibility of offering something to those who were already denied or never had a rehab program.

Let's go back to the bill. The bill says this: "(6) The board shall contact every worker, (a) who has not returned to his or her pre-injury employment...within six months after notice of the accident...is filed; (b) who is not receiving vocational rehabilitation services; and (c) who has not completed a vocational rehabilitation program, in order to offer the worker a vocational rehabilitation assessment."

"Assessment." Not services. Do the members want to know what "assessment" means under this act? "Assessment" refers to "a comprehensive evaluation of an injured worker's functional or physical capability after the injury, to include personal interest, aptitude, education, language skills and work history."

I go back to the point that all the board is committed to do after six months is offer an assessment. This act says nothing about offering services and the obligation of the board to offer those services after an assessment. It is left to its discretion again.

I go back to the problem which was inherent, which the task force heard again and again, that unless the board absolutely had to provide rehab it would not and it would find every excuse not to provide that service. The minister has not gone a step further in ensuring that injured workers get the rehab they require because he has left it up to the board to determine if it is appropriate or not. That is a far cry from what was asked, called upon and demanded by the people who wrote this on his behalf and on behalf of the government.

Just in the final part in this book there was something quite simple the minister could have done to provide even a symbolic change to what he says should be the centre of the compensation system which has rehabilitation. Very simply, the task force said:

"1. That the name of the act be changed from the Workers' Compensation Act to the Workers' Compensation and Rehabilitation Act to reflect the importance of the rehabilitation function of the board.

"2. That the name of the board be changed to the Workers' Compensation and Rehabilitation Board.

"3. That the Minister of Labour add one injured worker and a vocational rehabilitation practitioner to the corporate board of the Workers' Compensation and Rehabilitation Board."

You know what? We did not even get that. It could have been very simply done. If the minister had been intent on providing at least a symbolic change to show that rehabilitation was going to

come at the centre of the compensation system, he could have done that, and he did not. In what I have read so far about rehab, it is a far cry from what the task force demanded happen in Ontario.

I want to go and look at just a few of the other problems inherent in the rehabilitation section. For the first time ever in rehabilitation, time limits to rehab services have been imposed under this bill. I go to the section on the board providing assistance to a worker who is looking for employment. The board can offer that assistance for six months or it may offer it up to one year if the board considers it appropriate to do so. That is the first time we have ever seen in this system that a time limit has been placed on vocational rehab services.

I think the second part of the rehab provisions is probably the most important because it shows quite clearly that this government and this minister are not intent on providing rehab services and full rehab to injured workers.

If you go to the section you will see that rehabilitation will be given to workers who receive benefits under section 40 of this act. For those of you who are not very clear on what that means, section 40 benefits are benefits given to workers who are considered temporarily totally disabled; that is, they have been hurt on the job and are trying to recover in order to go back to work. Section 40 benefits also refer to people who are working with rehab. They may have a partial disability. They are working with the rehabilitation department in order to find suitable work.

The legislation is quite specific and it says that rehabilitation will be offered only to those people who are on those benefits.

If you go to the section on the second benefit that the minister talked about, that is the loss-of-earnings benefit, you will see that in fact this provision severely undermines the length of time a worker can expect rehabilitation at the board and that, where possible, the board, in the 12th consecutive month after the worker is determined totally disabled, or a year after notice of the accident when a permanent pension is noticed, or 18 months—and this is the maximum—after a notice of accident is given, the payments to the workers will switch from the section 40 benefits that I talked about to new benefits under section 45a, and those new benefits are the benefits reflected under the dual award system.

The point of the matter is that if after 18 months, at max, a worker is going to be moved from section 40 to section 45 benefits, then it follows that after 18 months maximum, an

injured worker cannot receive rehabilitation at the board because he will no longer be on section 40 benefits.

I have to say to the minister that in fact what he has done is dramatically decrease the possibility of injured workers in this province who require rehabilitation, who should have a statutory right to rehabilitation, actually getting those services. Many injuries at the board go longer than 18 months. Those people will not even get a crack at rehab.

It also implies that a worker may start a rehab program and be cut off that program after 18 months because his benefits will change, because he will go under the new section 45a benefits.

What the minister has done is really change the intent of Minna-Majesky and all the recommendations that they put forward to the government in this very important report.

By not stating quite clearly in the legislation that the board will have to provide rehab services to a worker after a serious injury, which is 30 days, and by cutting down rehabilitation to 18 months maximum after the date of injury, the minister has thrown out the window any of the good that was in this report and any of the important changes he could have made concerning rehabilitation. It is a far cry from what was in here, from what was recommended and from what he could have done on behalf of injured workers who deserve proper rehabilitation in this province.

I must say that for the minister to get up in this House and state that rehabilitation is going to become the heart of the compensation system is completely unacceptable, because that is not what is going to happen under this bill and anyone who reads the bill can clearly see that.

I want to move to the second set of provisions in this bill. Those provisions include reinstatement, and the minister has talked a little bit about that in his opening remarks.

I want to go back again to Minna-Majesky, because not only did they talk about rehabilitation, but they also made some important points about re-employment issues and reinstatement. Let me quote what they recommended to the Minister of Labour in this report, and it is this:

"That a worker who is injured at the workplace or contracts an occupational disease shall have the statutory right to return to the pre-injury job. Where the worker is no longer capable of performing that job, he or she shall have the right to another job in the same enterprise, respecting seniority rights."

That is pretty straightforward. I do not think you can get away from what they are asking in terms of misrepresenting it or not understanding what it is saying, but when you go to the legislation, surprise, surprise—or maybe not any surprise—you see what the task force report recommended is again not included in the bill.

1640

If I go back to the section on reinstatement and re-employment, it says in the opening remarks, "This section does not apply in respect of..." and then we start. It does not apply in respect of "employers and workers engaged in the construction industries" in this province. That is a heck of a lot of workers. In fact, it is about 323,000 workers in this province who have been cut out of this completely. I have yet to hear a very adequate response as to why this has happened. I know the minister did say on Sunday that there would be a problem because much of the work done in the construction industry was contract and it would be difficult to have the worker return to the pre-accident site or to the pre-accident employer.

It has been my impression that construction industries usually have more than one project site and it might not be all that difficult a task to have some of those workers return either to the original site or to another with the same employer. I do not know if he looked at that. I certainly know he is excluding a large number of people who probably need reinstatement the most from these actual provisions.

Let's go on. The next group exempted are the "employers who regularly employ fewer than 20 workers." That works out to be about 20 per cent of all establishments in the private sector. I would say that is a fair number of workers in this province as well. It is probably the same group of people, under 20 or less, who do not have occupational health and safety standards either. He is really slamming a group that has the most problems and also, again, requires reinstatement rights.

He includes in this category a lot of people working in the bush and people working in agriculture, where some of the most serious injuries suffered occur. It is the same group that is excluded, some of the people who need it the most. A significant proportion of the population is excluded. But it gets even better.

The third group that is exempt includes "such classes or subclasses of employers and workers as may be exempted by the regulations." If that does not leave it wide open to just about everyone, I do not know what else does, because

that gives the board the opportunity at any point in the future to determine a class of employers who do not have to be covered and a class of workers who therefore do not have any rights under this section. I cannot believe, quite frankly, that kind of power would be given to the board to determine, because that leaves it wide open for the board to go at any future time, without legislative review, to determine any class that could be taken out.

I really wonder why, if the minister is going to put in place provisions for reinstatement, they are such half-measures of reinstatement rights. If one is going to implement change in the province and try to bring out good change on behalf of injured workers, then one goes all the way and does it right the first time. One does not put forward these kind of exemptions. By the time one is finished, one is looking at about 25 per cent of the population already excluded and who knows who else in the future when the board gets around to doing something about it.

I think there are a few other problems in this section. They refer to the obligations of the employer. Under the bill, the obligations of the employer to reinstate people are such that the employer is obligated for only two years after the date of injury. There are many workers in this province who suffer serious injury who are nowhere near returning to work after two years and so they sit out. The employer is under no obligation to take them back.

Hon. Mr. Sorbara: It is a fraction of one per cent.

The Acting Speaker (Miss Roberts): Order.

Miss Martel: I am not sure what the minister is referring to.

Hon. Mr. Sorbara: A fraction of one per cent.

The Acting Speaker: Order.

Miss Martel: The minister has said a fraction of one per cent. I am going back to the number of workers he has already excluded, including workers who are injured now who have no rights under this section, and I would say that it may be a fraction of one per cent, but he has already done in about 25 per cent of the population. How much more does he want? This is getting ridiculous, quite frankly. If you are going to put in stuff to protect people, you protect them. You do not put in all kinds of discretionary power that the board can use later on to exclude large numbers of classes as well.

Let me go on. We have got a problem as well in that the accident employer, instead of actually

modifying a job, can sit out the two-year period. The accident employer is supposed to accommodate the injured worker in getting him back into the workplace. There is nothing under the legislation that obliges him to modify an existing job in order to accommodate the worker. It could be much easier for the employer to sit out the two years, stating that he does not have suitable and available work for the worker and leave it at that, and then his obligation is complete.

I think the worst part of the legislation in this regard refers to the fact that this is one of the sections where there can be no appeal to the Workers' Compensation Appeals Tribunal. I think my leader was right today when he posed the question to the Premier (Mr. Peterson), "How can you deny basic rights to injured workers in this regard?"

The Workers' Compensation Appeals Tribunal was established primarily because of the horrendous decisions coming out of the board, the ridiculous decisions that did not reflect in any way, shape, or form justice or rationale or fairness within the system. People were given the opportunity to take their complaints then to a higher, independent tribunal that might have more sense in actually determining and trying to resolve the dispute.

Here we have it. For the first time since WCAT was instituted in 1985, we see the chipping away of the power of that body and the right of workers to appeal to that body.

Let me go into Hansard and take a look at that, because I did ask the minister why, in both this case and in the case of pension assessments, he was no longer allowing the appeal to the Workers' Compensation Appeals Tribunal. He said to me, in response to the question of why this was happening in terms of the reinstatement rights, "We provide no appeal because the time limit"—that is, the obligation of the employer—"is a two-year time limit period for reinstatement, and we think that to have a long appeal mechanism would be inappropriate under these circumstances."

I must say that I consider it completely inappropriate that he takes away the worker's right to appeal to WCAT.

Let me just refer as well to the time limits, because the inference here was that after two years the obligation ran out, and I remember the minister saying as well that an appeal to WCAT may take much longer than that and then the time would have run out. But if you go into the legislation in a different section of the act, you see that the board is given the power to do this,

"The board may extend the time limits set out in subsection 6 in the case of a worker who is not receiving compensation...and whose entitlement to compensation is in dispute."

So we have in one section of the bill the right of the board to stay a decision and to oblige the board to pay compensation, even if a time limit has been met; and yet in the same bill, under a different section, we have the right to appeal refused because the minister has said the time limit will run out and the obligation of the employer may run out by the time we appeal to WCAT.

I want to suggest to the minister that the reasoning behind this is completely ridiculous and I would suggest strongly to him that he go back and take a look at it again, because he has already put into the legislation in another place a prerequisite allowing the board to do away with time limits and implement compensation after. There is no reason why the same thing cannot be applied here, and I cannot, for the life of me, figure out why it has not been done and why he is using that type of reasoning.

At this point I would like to move into the section that is probably the most important in this bill, and it is probably the section that we disagree with the most. It is at the centre of the proposed changes to permanent disability and the way permanent disability is awarded in this province, and it is the implementation or the reintroduction of the dual award system.

The dual award system, as the minister has stated, is supposed to replace the meat chart as the basis for determining economic loss of a worker who is injured in the province. The dual award system is supposed to do two things. Number one, it is supposed to provide benefit for a noneconomic loss, that being defined as the loss of amenities that one suffers because of an injury.

1650

The second benefit is to replace earnings which are lost as a result of an accident. If we go back to the history of the dual system, we actually see that it is not a new idea in the province at all. In fact, in 1980 Paul Weiler, in the first Weiler report, introduced the idea of the dual system when he was looking at the compensation system in Ontario.

From there, we had the government in 1981—it was the Tory government at that time—put that idea into a white paper. Between April 1982 and December 1983, that white paper was actually studied in the standing committee on resources development of this Legislature. At that time the

majority voted in favour, but we in this party dissented in a 40-page report, which included not only the dual system but also many other aspects of the system this party was concerned with.

In 1985, although Bill 101 was introduced and in fact passed, the dual system did not appear in the legislation. I think it was because the Tories realized, first, that there was great opposition to it; and second, that the dual system would not do what it was set out to do in the first place.

In December 1986, the system was mentioned yet again by Paul Weiler. At that time, he was doing a report on compensation for permanent disabilities in this province. Then in June 1988, the dual system, under Bill 162, was announced in this Legislature by the minister.

I must say, as we did in 1983 in our dissent in the resources committee, we reject this proposal and this system once again.

I want to go through why we reject it. I think it is extremely important that people have a perception of why we are very concerned with it, why we do not think it is going to make the system any fairer or any more equitable.

Let me deal with the first component of the dual award system, that is, the lump sum payment for noneconomic loss, what the minister referred to as loss of amenities in life. There are three things that really should be said about the noneconomic loss. It is probably the only guaranteed payment under the dual award system. I state that very clearly. It is the only payment that is guaranteed under this system. Second, it represents much less than the present pension does. Third, although the minister will say it is not, it is based on the meat chart.

I want to go through the sections where that becomes applicable. I will deal with the last one first, the question of the meat chart. The minister has said in several of his statements: "We are doing away with the meat chart. We've all hated it. It was unfair, it was arbitrary," it was this, that and the other thing. Yet when we look at the legislation, we find it appears again. It is the meat chart under a different name which is going to be used to determine the lump sum payment.

If we look at the proposed regulations attached to this bill, they state quite clearly: "The board will have the power to establish a rating schedule setting out the degree of permanent impairment for specified types of impairment." I think that is pretty clear. That says to me that we are going to have a rating schedule, albeit another name and not the meat chart, but certainly a rating schedule as we have always had to determine the degree of permanent impairment of a worker.

If we go into the section on the lump sum payment in the bill, we will find out, and it states quite clearly, that the injured worker is assessed for the lump sum award. When he is assessed for the lump sum award, he will be assessed "the degree of permanent impairment of the worker according to the prescribed rating schedule." That is pretty clear again, and that is the second reference we have to it in the legislation.

We have a third reference as well in the same section and it is this, that the lump sum payment, the payment for noneconomic loss, will be determined by using "the percentage of the worker's permanent impairment from the injury."

I think it is very clear that the meat chart has not been done away with, that it appears in this legislation, albeit under a different name. It is the same thing and it is alive and well in this legislation. The one symbol that has become meaningful for workers, that is, the meat chart, which they and we have hated and said had to be done away with, in fact has not been done away with in this bill. I think it is important to let people know that so they understand that it has not gone away at all.

Second is the whole concept that presently pensions in this province are paid on a monthly basis and are guaranteed for life. We are living at present under the concept that a pension for life reflects a disability for life. While the minister has talked about this new lump sum, we find that if we compare it to what workers are receiving now, the new lump sum proposed under this bill is much less than workers receive now under their permanent pensions.

Hon. Mr. Sorbara: Of course it is.

Miss Martel: The minister says, "Of course it is." The other problem is that of course it is the only payment that is guaranteed, because when you get to the second component, the loss of earnings component, you find out quite quickly that there is no guarantee in this section that workers are going to receive anything but the noneconomic loss, a small lump sum pension. I can see the minister shaking his head, but I will get to it, because it is most definitely there, and that is what frightens us the most about this bill.

Let's look at the lump sum payment. The calculations are you start off at \$45,000. If you are 45 years old, you do not get penalized. If you are over 45 years old, for every year you are over 45 years old, you get \$1,000 knocked off the calculation of your pension. If you are under 45 years old, you get \$1,000 added to your pension or added to the lump sum figure, depending on

your age. What happens is that we have inherent in the system the use of an age factor, which in my opinion is completely discriminatory. I do not know how it can be used. It discriminates against workers based on their age. If you are older, you get less; if you are younger, you get more. It completely negates the fact that you have suffered an injury and that injury was permanent regardless of your age.

I go back to what we said in 1983 on the same issue when we determined to dissent against the whole system. We said, "We also reject the majority's proposed age factor adjustment." Consider the case of a worker with a permanent hearing loss assessed at 20 per cent. The majority proposal treats that 20 per cent as 20 per cent only if the worker is exactly 40 years of age. By contrast, the dollar benefit received by a 50-year-old worker in the same circumstances would be 20 per cent less. Same injury, same pre-injury earnings, same disability; why the difference in benefits?

In our view, compensation for injury should not be adjusted according to the age of the worker who has been hurt. What results from such a scheme is a discriminatory, voodoo disability rating system. That is exactly what happens here. The age is not 40, as was used in the resources committee; it is age 45. What has happened is that you see set in place a discriminatory system. If you are older, it is not worth as much; if you are younger, you get more. I think if there is anything that pits worker against worker, it is that type of system being put into place. I think that is really unfortunate.

I want to go through—I was not going to, but I remember that when the minister and I spoke last week, we went through the pamphlet the member for York South (Mr. Rae) and I have put out.

Interjection.

Miss Martel: No, I am getting to it. He mentioned in particular the sum of \$23 that we outlined, which he said was not true, it would not be that low. For his benefit and the benefit of other members in this House, I am going to take just a moment and go through the calculations. For all those people who think it is not going to be less, and considerably less, they can go through the calculations themselves. They will find out quite quickly that workers are going to lose dramatically under this section in particular.

First, we used the example of a skilled worker who was 45 years old and had a 10 per cent permanent disability. In the province, the monthly pension rate is determined by taking what the injured worker makes, his weekly amount—it is

called the temporary total rate—while he is on compensation. You multiply that by 4.3—the number of weeks in an average month—and you multiply that by the permanent disability of the worker. Our 45-year-old worker was a skilled worker getting a weekly rate of about \$450. His pension now works out to about \$191 a month.

1700

Let's take a look at the same worker and how the new bill and the new economic loss provision is going to affect him under this section in particular. We have a 45-year-old worker. He again has a 10 per cent pension. He is going to get a \$4,500 lump-sum award at the end of the day. He is going to get that as a payoff and he will not be entitled to anything after that in terms of the noneconomic loss provision.

What that works out to on a monthly basis— It is important that I point out “on a monthly basis” because as I go through this you will see our concern that it is the only payment he gets is very real. His monthly sum is going to be dramatically less than that. We worked out to a figure of \$23 and we did it in this way: We used actuarial tables the board uses now when it assesses a permanent disability to the employer. That table is a four per cent discount table used by the board in order to make those payments out.

What happens is simply that the lump sum is divided by the discount rate. When you divide \$4,500, which is his lump sum, by 193.28—that is for a 45-year-old worker, male—you will find that the calculations turn to \$23 per month, as we used in our pamphlet here.

We have some other ones given to us by the injured workers' clinic. It is the same type of thing. The monthly payment a worker can expect, if indeed he gets over \$10,000 and asks to have it on a monthly basis, is much less than the present pension he receives now.

The third point, the one I have been trying to make which the minister has been arguing about, is that it is the only guaranteed payment we see under this system. It is the only thing you can actually depend upon, the only payment under the dual system. That is because the second component of the dual system which the minister has talked about is a payment to try to replace lost earnings which result from the accident.

But this is not guaranteed anywhere in the legislation. We went through this before. The minister has said you are going to get 90 per cent of net of which you lost because you can no longer return to work. I point out that this award which is 90 per cent of net is again at the discretion of the board, after two years, after five

or at any time the board considers appropriate, and there is no guarantee anywhere in the legislation that the basis of the calculation will be actually on the job the worker had.

I want to go into this system in a moment because I think it is awfully important, but I want to go through some of the other problems with the lump-sum system. Not only is it smaller, not only is it the only payment that is guaranteed and not only is it also based on the meat chart as before, but there are some other major problems with the lump-sum payment, problems my leader referred to this morning.

The first is again that the amount of the lump sum you win is not appealable to WCAT. The assessment of your permanent disability is not appealable to the Workers' Compensation Appeals Tribunal. In fact, what happens in terms of the assessment is that the control of the assessment and the appeal process has all become in-house. We know that when something moves in-house at the board, the discretionary power increases and it becomes more and more difficult for anyone to get any justice under the system.

What has been proposed under the legislation is that in terms of pension assessments the board will use its discretion and will establish a roster of doctors who can look at the injured worker and assess his permanent pension based upon the meat chart or the permanent disability rating. What happens is that the mechanism completely negates or disallows any input from the treating physician, the doctor who actually services the worker, examines him, provides for his treatment and his care. He has no place in this system and that, I must also add, is the first time that has happened under this system.

Now, if we have a worker who is assessed by the compensation board, he gets his pension. Perhaps it is a 15 per cent pension. He does not agree with the amount of that pension, so that worker comes to our office and we say to him: “All right, Mr. Smith. You go to your family doctor or the orthopaedic surgeon you have seen, get a medical report from him stating that you in fact are worse in his belief, and we will appeal on your behalf. We will take that medical report and we will go to the compensation board and we will appeal and say, based on the report of this doctor, who has actually treated the man, that we believe the injured worker is entitled to more, that his pension is in fact greater than what you have provided him with.”

That has been taken completely out of this section and has been replaced by an in-house mechanism, so that if an injured worker does not

like his pension, what he can do is this: He has got to go back, and the board will provide a list of three doctors. From that list the worker and the employer—and that is another provision: the employer, for the first time ever, has a say in the doctor whom the injured worker sees; that has never happened before—are supposed to sit down and, from this list of three doctors, choose a doctor whom the injured worker can see for a reassessment. If the worker and the employer do not agree and they cannot come up with a common name between them, then the board turns around and the board decides whom the injured worker will see.

The ability of the injured worker to have a say in who sees him or, at least, the ability to put forward a report from a physician who actually treats him, is taken out of the legislation completely. It is the board who has the roster of doctors, the board who sets out the names of the doctors you can see and the board again who, if you cannot come to a satisfactory compromise between the employer and the worker, determines whom he will see.

I say it is a complete destruction of rights of injured workers to have their family physician provide information on their behalf and to have that information considered on their behalf as well. It is the first time that the role of the treating physician has been completely taken out, and I think that is not right. I do not think that makes the system any fairer. I do not think it makes it any more humane. I do not think it makes it right. I think when you start undermining the rights of injured workers in that regard, then you are seriously in trouble in terms of the system that workers are going to want to trust or going to want to work with.

The appeal, again: As my leader said this morning, there is no appeal to the Workers' Compensation Appeals Tribunal. That is the second provision in this legislation that is not appealable to WCAT. Whether the minister likes it or not or whether he agrees or not, that is certainly taking away and undermining the right of the worker to appeal, and it undermines the spirit of the legislation that put WCAT in place in the first place.

I will go back and state again that it was set up in the first place because of the most outrageous decisions that were coming out of the board, based on its policy reading of our legislation. What we have done, not once but twice, in this legislation is to take away the right of workers to appeal. I think that is wrong and I am not sure why it is in the legislation. We have not heard

from either the Premier or the minister why this has been done, why he agrees that the role of WCAT should be undermined in such a way and why he is in agreement that workers should not have the right to appeal to that same independent body. So we have some real problems in the section on the loss of earnings lump sum payment.

I want to deal with the other components of the dual award system. I have stated already that there are two components. One is the lump sum payment that I have referred to. The second is the payment for the loss of earnings that a worker may suffer as a result of his injury. I think it is really this component that we have the most difficulty with, because it is arbitrary, it is discretionary and it is not guaranteed in any way under the legislation.

Now, the payment for the future loss of earnings is supposed to do this: It is supposed to recognize and pay for the loss of earnings suffered by an injured worker because of injury. It is supposed to be based on what he earned before the accident and on the earnings, if he has any, after the accident and he is ready to return to work.

If the award itself were actually based on the actual loss he will suffer, it would not be all that bad. But the problem is that that is not what happens, under either the legislation or, if you look at the board, the practice of the board in this regard now. In fact, what is happening is that, whether the injured worker has a job or not, whether the injured worker has a job offer even, the WCB determines what he or she is capable of earning after the accident and bases the payment on that. It has nothing to do with what the injured worker did earn or what his situation is after the accident, but it has everything to do with what the board determines he or she is capable of earning, regardless of whether or not they have a job.

1710

If I can just go to this section of the legislation, it says quite clearly that, "the amount of compensation payable to a worker for future loss of earnings arising from an injury is equal to 90 per cent of the difference between (a) the worker's net average earnings before the injury...; and (b) the net average amount that the board considers the worker is able to earn after the injury in suitable and available employment for such period, up to the time that the worker reaches 65 years of age, as the board considers appropriate in the circumstances."

In this very important component, which is supposed to reflect actual wage loss suffered by

the worker, you see that the board has discretionary power in two instances. The board determines what the injured worker is capable of doing, not what he is doing, and the board determines that it may be paid up to age 65 as it considers appropriate, meaning that it at any time can review that and do away with it. You get into a real problem, as I said before, because the board is actually doing this now.

I want to look at the area of supplement—and this is in many ways a supplement as well—supplements to permanent pensions. Right now, at the board, if you have a pension and you have not returned to work, you can obtain a supplement or at least ask for a supplement and the board will base it on what it thinks you are capable of doing.

It is exactly what is going to happen under the new bill and it is why we feel it is so important that this part either be done away with or amended to a great measure.

Let's take a look at Mrs. Coletta and see what has happened to her at the board under this provision. Let me go back and just explain what is happening. She has a pension. She has not returned to work. She has applied for a supplement, which is supposed to be 90 per cent of her net earnings based upon the wages before the accident and the wages after. She was denied.

This is what is happening at the board. This is the letter the board wrote to her. "In order to establish your potential post-accident earnings capacity...we conducted a vocational assessment. Having regard for the previously stated factors"—that is, her age, her employment status, what she did before, her education, etc.—"we have concluded that you are capable of working as a packager of materials, a light-assembly worker or a picture frame assembler."

Mrs. Coletta has a 20 per cent permanent disability for a herniated disc and she has never worked in this capacity before. But the board went on: "We have used information available from Statistics Canada and have determined that the average weekly wage for these positions is \$306.66. This has now been deemed to be your post-accident earning capacity. Your pre-accident earning capacity was \$207.57. The difference between the two figures, when compared with your permanent disability award, does not constitute an impairment of earnings capacity which can be considered greater than is usual for the nature or degree of your injury. Thus your request for temporary supplement benefits is denied."

Mrs. Coletta has never worked as either a light-assembly worker, a packager of materials or a picture frame assembler, never in her life. She had never applied for a job in that regard in her life. Mrs. Coletta, because she was denied a supplement, has for the last six months tried to obtain employment in that regard. She has been unable to do that.

She was cut off from the board in terms of a supplement because it estimated she could do something which she had never done before at any point in her life. She has tried to find employment in that area and she has been unable to do that. The board does not take into consideration what her earnings were before, what she had actually done before, and used that as the basis of the calculation. It estimated what it thought she could do.

It looked at the amount of money you could earn in a position with Statscan. It found that after she had been hurt, she should have been able to earn about \$100 more than before she was hurt.

The problem is that this kind of thing is happening at the board now. The board is using its discretionary power. It is determining or deeming what it thinks injured workers are capable of doing and it is cutting people off supplements because, in the supposed job which they do not have, which we call the "phantom job," they would make more money than the money they were making before the accident. It has nothing to do with whether they have the job or not or if they have a job offer or if they have ever done the job; it is the board that deems they are capable of doing it, and because that amount of money is more than they earned before, they do not get a supplement.

The same type of thing applies in the dual system, because you are looking at the same principles. It is the board which decides what your earning capacity is after you are hurt, and on that basis, if you make more money, or supposedly make more money, you do not get the supplement. In this case, you do not get the future-loss-of-earnings benefit.

I want to look at another one, because this is becoming widespread at the board. It started in November, and we are getting more and more people with the same type of letters being cut off the ability to obtain supplements.

In this case, we had an injured worker whose pre-accident earnings were \$328. The injured worker had a pension. He could not return to his former employment, so he took it upon himself to attend George Brown College and he took an

appliance servicing course, a night course, for three months. He had actually completed only part 2 of the three-part course; that is, in fact, he had only completed the theoretical part.

He applied to the board for a supplement. The board wrote him back. They said they had contacted Statscan and found out that a refrigerator maintenance person or a person doing electronic equipment repair could be earning \$329.80 a week. It was about a dollar more than he had earned before.

Based on the fact that they thought he could be a refrigerator maintenance person or an electronic equipment repairman, they denied his supplement, even though the worker had no practical experience, he did not have the job, he had never had a job in this area, and in fact he was going through school to try to become this but had not even finished. He has had no practical experience, no training, and now he does not get a supplement. The reason he does not get a supplement is that the board deemed him capable of doing something that he was not, took the earnings of that job that he was not doing, and said it was more than he had before; therefore, "Too bad, you get nothing."

This is the kind of thing that is happening. I have another example. This one comes from Saskatchewan. In Saskatchewan the dual system is already in place, so the fears we are seeing here in terms of supplements have begun there and the same type of thing has happened under the dual system there.

In this case, we have a 57-year-old male. He is blind. He was previously an electrician. He suffered an accident there and it left him with 20/200 vision. He is considered blind, actually, by the Canadian National Institute for the Blind. But the board, in its letter to him when he applied for a future-loss-of-earnings payment, which is included in this bill, said to him:

"Commencing August 1, 1988, your entitlement will be equal to \$449.80 per month, which was calculated by taking your earnings"—before the accident—"in 1984, less those earnings which the board felt you were capable of, as a counterman in a hardware store, an arcade attendant or a parking attendant, earning \$1,768 a month...."

He was not cut off completely, but the board looked at him and deemed him, a gentleman who is considered blind by the CNIB, capable of working as a counterman in a hardware store, an arcade attendant or a parking attendant and therefore reduced his loss-of-earnings supplement dramatically.

I want to go back to the minister and I want to say to him, this is what is happening. This is what is happening in the board now under this provision. This is a case from Saskatchewan that I just mentioned; the two before happened in Ontario. They have been happening since the board instituted its new supplements policy in November.

People who should be getting 90 per cent of what they earned before and what they are capable of earning after are not, because the board is basing it on what it feels a worker is capable of doing—not what he is doing, not what he did before, but what it thinks he is capable of doing. Regardless of the fact that they never had the job, never had a job offer and probably will never find work in that area anyway, the board has taken it upon itself to cut cut these people off or not provide supplements.

1720

I cannot stress enough that the real reason we are looking at this system and do not want to have the dual system is that there is no guarantee, under that type of power at the hands of the board, that people are going to get loss-of-earnings supplements.

There is no guarantee because there is nothing in the legislation that states specifically you cannot deem. You cannot provide a phantom job. You have to base your calculation on what the real state of the worker is at the time of the assessment. That is not happening, and it is not guaranteed under this legislation.

What we are going to see, if this legislation goes through, is more and more of the discretionary types of decisions which are completely unrealistic, which do not take into account the situation of the worker and which result in fewer rights and fewer benefits for injured workers under this system.

I think the minister has to take a serious look at what is happening now in order to get a sense of what this legislation permits the board to do, because it is really frightening.

In terms of the dual system, the minister, in his statement to the House in June, named a number of other provinces which had actually implemented this system. He said:

"In the past decade, Quebec, Saskatchewan, New Brunswick, Newfoundland and the Yukon have put a dual award system in place. Quite simply, it is the fairest system for all concerned and the one that lends itself to most efficient management."

I want to discuss for a moment the Saskatchewan model; the minister has mentioned it several

times, once on Sunday and again here in the House. I want to look at what has been said, in fact, about the dual system in Saskatchewan where it has been in place since 1979.

The comments I am referring to are those of Brian King, a former chairman of the compensation board in Saskatchewan. He is now the chairman of the Manitoba WCB review committee. He is a member of Parliament there. He said he now opposes this system "because it invades workers' privacy, it can become a bureaucratic nightmare and it is a disincentive to rehabilitation."

On the third point, concerning the disincentive to rehabilitation, of course it would be that because it is easier to deem an injured worker capable of suitable work rather than actually putting into place the mechanisms that ensure he is rehabilitated to do that work.

It is easier to project a wage loss for the worker than it is to guarantee rehabilitation and then base benefits on the actual wage.

Finally, it is cheaper for the Workers' Compensation Board to create a phantom job, as it is doing now in Ontario, than it is to give workers the necessary tools to obtain a real job and get back into the workforce.

I must say that if you look at the rehabilitation provisions now under the board, which I went through at some length, they are lousy already; if you put the dual award system in place which provides a disincentive to rehabilitation, then you weaken even further the commitment of this government and of the board to try to provide that type of rehabilitation.

I must say that between the two of them, rehabilitation in this sense under the legislation is not going to work; it is really a farce.

I want as well to look at the concerns of the compensation committee in Saskatchewan, a review committee of the government there. They looked at the practice of deeming, which I have talked about already; they looked at how unfair it was, how inhumane it was and how unjust it was for workers in their province. They said this:

"The specific complaints of workers regarding the way in which these sections of the act are being interpreted and applied can be summarized as follows:

"(1) Workers are being 'deemed' by the board to be capable of engaging in work for which they are not qualified without first being given appropriate training.

"(2) Workers are being 'deemed' by the board to be capable of obtaining employment at rates of

pay that are unrealistic having regard to the going rates for the jobs actually in question, and

"(3) Workers are being 'deemed' by the board to be capable of obtaining work in fields of employment where job opportunities simply do not exist."

That is happening now in Saskatchewan. This is a WCB review committee of the Legislature that is talking about deeming. It is the same type of thing we are proposing here.

"The position of workers was that by 'deeming' them capable of earning income which...in fact they are not capable of earning, the board is wrongfully reducing or...cutting off altogether the benefits which the 1979 legislation was supposed to guarantee to them."

Finally, the committee said: "The principle of income maintenance...the cornerstone of our 1979 legislation, is under attack. If the income maintenance sections of the act are not being fairly and properly interpreted, the entire structure of workers' compensation is in danger of collapse. That makes 'deeming' one of the most crucial issues faced by the committee," and the Workers' Compensation Board.

Hon. Mr. Sorbara: They're changing to a system very much like ours, says the minister of labour for Saskatchewan.

Mr. Mackenzie: She's telling you they have reservations now, strong ones.

Miss Martel: They have more than strong reservations. They have looked at it quite seriously. They looked at it because there was such a complaint against it and because the problems of deeming, which I have outlined here. The problem of basing benefits on phantom jobs versus real jobs is real. That is what is happening in this system. It is happening now in Ontario. That is why we are so concerned about the bill.

It is not fair to say to a worker: "You should be capable of doing this. We don't care whether you are or not or can even find a job. We're going to base your benefits on what we think you can do, not what you are doing." That does not provide for 90 per cent of net income at all. That does not say to a worker he is going to get back anything he had before he was actually injured. It does not fairly compensate the loss of earnings he actually is affected by because of the injury.

I go back to the review board. They were quite clear in their condemnation of the board as well. They said, "The 1979 legislation...in adopting the income maintenance approach, requiring the board to 'estimate the effect of the injury on the loss and the earning capacity...' was spelled out

quite clearly in the intentions of the Legislature. It was, however, left to the board to undertake the difficult task of determining how it could arrive at its estimate of loss of earnings capacity."

What happened when it was left to the board was that the legislation was undermined. The board went ahead and did what it wanted and used deeming to the fullest extent it possibly could and workers across the province were being cut off or getting supplements far below their actual loss of earnings had been before they had been hurt. That is the real problem with this system. That is why we reject the system, because the same thing is happening now in Ontario. What the bill does is put that into place. It allows the board to continue on the way it has been; that is, using discretionary power to cut people off based on jobs and capabilities they do not even have.

We reject that because this is inherent in the dual system, it is arbitrary, unfair and a practice that in other jurisdictions has proven to actually happen, and workers in those provinces have had their benefits reduced and have had their rights reduced as a consequence.

I think the major problem with the legislation, besides the three—rehabilitation, reinstatement and the dual system—I have talked about, goes back to the increasing power of the board which is seen under the legislation. We all know that the WCB at this point in time is really a symbol to a number of people of a couple of things.

First of all, they have complete mistrust of the system and of the people who work there. It is a symbol of arbitrariness, unfairness and of all kinds of discrepancies. It is unfortunate that the WCB has become a symbol. I really believe many of the people who work there are actually committed to helping injured workers. They have a genuine concern for injured workers and are as unhappy as injured workers in recent months because of the changes that have occurred at the compensation board and because of the increasing discretionary power the board has displayed in recent months with the new administration.

The rules have become even more unfair in the last number of months. The rules on supplements and on commutations have become more unfair, and there has been a persistent attempt by the administration to take the legislation and undermine it and use it in policy ways which are unfair and unjust.

It is funny. We talk about how everyone else outside—the trade union movement and injured workers, etc.—is opposed to this bill, but if you

talk to the workers at the compensation board, those organized under Canadian Union of Public Employees, Local 1750, you will find out they do not want this bill either. They are opposed to it for many of the same reasons we are, but in particular, they are very concerned about the discretionary power that is inherent and outlined in the bill.

They work there. They have seen exactly how discretionary power can be used and what the result is. The result in the past has been, and if this bill passes will continue to be, the reduction of workers' rights and benefits and an increasing control of the board to determine a worker's life. They are really worried about that, and those are the workers at the compensation board.

1730

I must say that the bill, in fact, legitimizes the process that has been going on at the board to date, because we have seen the cutbacks on supplements, we have seen the increasing discretionary power, on commutations in particular. It has gone on and on, and the minister has not yet stepped in to stop it. The policy on supplements in particular completely undermines this legislation passed some years ago in regard to supplements, and yet there has been no move by the minister to step in and say, "We will have none of it, because injured workers' rights are not protected, because you are undermining what legislatures in this province put in place to make the system better."

On a couple of occasions the minister, when questioned in this regard—in particular, I remember asking him a question on commutations—said that he had no responsibility in this regard; that the Workers' Compensation Board had its own board of directors, it had its own mandate to determine legislation, and what it did in determining that and putting it into policy was its business.

I do not think anything could be further from the truth, because the Minister of Labour still has the Workers' Compensation Board under his purview and it is up to him, as minister, to step in. Some of the policies the board is putting into place undermine what we passed as legislators in this House. He has not done that, and the arbitrariness and the discretion of the board have continued.

I think what really concerns me in the final section of the bill in that regard, in terms of increasing the discretionary power of the board, is the large number of sections that are allowed to be established under regulations. If you go to the back of the bill, you see that there are a large

number of things that the board can make regulations on. It includes all kinds of things: the permanent rating system that we talked about, the revised meat chart under a different name.

The board can establish the criteria for assessing the personal and vocational characteristics of a worker in order to determine the right to rehab. The board determines what constitutes suitable and available employment for the worker in the case of whether or not he should get a loss-of-earning supplement. The board sets up the roster of doctors whom the injured worker must see in order to have his pension assessed or reassessed. It is the board as well that will determine the classes or the subclasses that are going to be exempt in the future from the reinstatement rights. It goes on and on, in fact. The board has tremendous power to make regulations and to send them over here, where they may or may not be seen in the standing committee on regulations and private bills and where they will be given a rubber stamp, then sent back and the board can do what it wants from there.

I must say that, in the long list that is here, the board is going to be given some tremendous powers, far beyond what it already has. Those of us who have worked there, who deal with compensation every day, see what the board has already done in terms of discretionary power. It is not going to get any better. This bill makes it worse because it gives the board more and more power to determine benefits, to determine how a worker will be judged, to determine workers' rights and, in fact, to determine control over workers' lives.

I think that if there is a real point to be made about the bill, it is that the board will be given carte blanche to do really whatever it wants in a large number of areas, which, as we have seen in the past, will be only to the detriment of injured workers in this province.

In conclusion, there are a couple of things I want to say. I have tried this afternoon to outline some of the details of the bill that we, as a party, find most onerous. I have looked at the rehabilitation section, which I think is really a far cry from what Minna-Majesky outlined as having to happen at the board if injured workers in this province were going to have real rehabilitation that responded to their needs.

I have looked at the reinstatement provisions, which I think are extremely weak, and I have stated that if you are going to put measures in place in order to help injured workers, then you go all the way; you do not put in half-measures

that are not going to protect at least 25 per cent of the population starting out and you do not give the power to the board to determine in future all other kinds of classes or subclasses that will be exempt.

In terms of the dual system, I have tried to point out why we are so afraid of it and why we believe it will result in reduced benefits for injured workers, because it is based on the discretionary power of the board to determine capable work regardless of what the actual employment of the worker is.

In terms of the discretionary power the board is allowed, we very much reject what has been put into place, because we think it will not make the system any fairer, it will not make the system any more just, it will not make it any more humane. In fact, it will do the opposite and it will give the board in this province increasing power to determine the control of workers' lives.

It has been said on several occasions that we should probably get on with the job of fixing the Workers' Compensation Board; that we all know what is wrong with it and we should really get down to the business of trying to do something about it. I must say in response to that that we all have different ideas about how to fix an already bad system.

There are some things we can agree upon, as we did under Bill 101 in 1985, because some of those changes were very good for injured workers. It made the system better, more workable and a little bit more humane. But I must say we are not going to agree on very much in this bill, because we do not believe on this side that it is going to do any of the good things that happened under Bill 101 in terms of making the system a little better for injured workers.

Mr. Ballinger: You do not agree with any of our bills.

Miss Martel: We did on Bill 101. The member was not here then and neither was I.

I want to talk a little bit about the consultation that surrounded this bill. The minister on a number of occasions has said there were broad consultations regarding this bill and regarding compensation in particular. It may be that the minister talked to a large number of people in the past year about compensation issues and some of the problems in this system, but I find it very difficult to believe that there was broad consultation on the particulars of this bill. There certainly was not consultation on this bill with the trade union movement or with injured workers' groups or with the legal clinics which deal with compensation every day. At a press conference

yesterday, representatives from those groups were here and they denied again any involvement, any consultation with the minister or his staff in putting together anything related to this bill.

I find it really difficult that the minister can state, as he did before the standing committee on the administration of justice when he was in front of it talking about Bill 114 or as he has said several times in this House, that there was broad consultation on this bill. I do not know who he consulted with, but I certainly know the people who are going to be most affected by it and the representatives who work with those people were not consulted at all about the provisions of this bill. If they had been, we would never have seen this bill, because now that it is presented and now that they have a chance to deal with it, they are completely opposed to it and would never have had any part in putting it together.

About the minister's statement to me in this House that if I read the bill I would like it, I want to say one thing: I have read it and I have read it thoroughly. Every time I look at it again, I see things which are even worse and things that worry me more; powers of the board which are going to increase dramatically under the bill.

I do not think it is going to fly that our opposition to it is somehow related to the fact that we have not read it, because we have. We are not the only people who have. There has been a large number of critiques done about it from the people who work with compensation most in this province on a daily basis.

In summary, it must be said that the bill is very important, there is no doubt about it. It is very important because it will have dramatic implications for injured workers now and those who will be injured in the future. It will have dramatic implications in a large number of areas I have already outlined.

I am encouraging all members to read it very carefully and to look for a couple of things, in particular the discretionary power which is going to be given to the board under this legislation. I would also like them to consider what I said today about what the board is doing with that kind of power in today's system and how it is using its power to cut off workers in a number of areas.

I know, and I think we all do, and we recognize on this side, that we need some desperate changes to the system. Unfortunately, our ideas about how to change the system are very different. In our view, this bill makes the system more unfair, it makes the system more

unjust and it makes it more arbitrary. It makes the condition of injured workers, men and women in this province, even worse.

I think on that basis, in view of our reading of it and in view of what we know the board is doing now, that we will not be able to support this bill. On behalf of injured workers of this province, men and women who deserve something better, we will oppose this bill. We will work for change and we will work for something better.

1740

Mr. Mackenzie: In the slightly better than 13 years I have been here, I have not heard a more informative or well-researched or specific presentation to this House than we have had over the last one hour and 50 minutes or thereabouts. I do congratulate my colleague on the comments she has made, but I also ask every member in this House, those who are here and those who are not here, to take a look at the Hansard as soon as it is out and read the specific speech. That is a request I make seriously to every member.

I say to the minister that he is then going to have to respond to every one of those comments, every one of those sections, every one of those arguments; and every member in this House should understand them, because either he has a rebuttal that holds water to that speech that was just made in this House, or there is no reason on God's earth that the members of this House should support that particular piece of legislation, which is what we have been saying along with a lot of other groups in our community.

I am making an appeal to the members of this House to sit down and read the specific criticisms presented in that speech, and then I am telling the minister he had better have answers for those specific criticisms that should satisfy everybody, not just the members in this party, but certainly the members in his own caucus.

I do want to congratulate my colleague on that speech.

Mr. Runciman: I want to extend the apologies of our critic for the ministry, who is unable to be here today but will have an opportunity, I am sure, during debate on this bill to voice his specific concerns.

I have been thrown into the breach, if you will, perhaps because of my union experience; I am not sure. I know this occasionally rankles the fellows over here, especially the member for Oshawa (Mr. Breaugh), who consistently tells us that he believes that the leader of the Canadian Auto Workers walks on water.

Mr. Breaugh: You are not challenging that, are you?

Mr. Runciman: If the member watched his performance during the recent free trade debate on *The Journal*, I think we could all wonder about his ability to walk on water, let alone put together two coherent sentences.

This is one of the things these people like to do when someone has experience and can talk about what it means to be a union member, other than members of the NDP. It really does irritate them.

We do not know how frequently the member for Oshawa has dirtied his hands in real work in life, but I doubt it is very frequently indeed. One of the columnists in the *Globe and Mail* was talking a week or two ago about the irony of the fact that the NDP consistently talks about representing the ordinary man and woman in society when the fact is that it has very few representatives of organized labour represented in its rank and file. The member for Hamilton East (Mr. Mackenzie), who consistently speaks on their behalf, certainly has a background. The member for Nickel Belt (Mr. Laughren) is raising his hand, so apparently he has some as well, but I do not think I have to—

Mr. Breagh: He has dirty hands, Bob.

Mr. Runciman: He probably knows what the real world is all about.

I want to say that I have had extensive experience, and I will remind the members, just to bother them a little bit more, that I not only have had experience as a union negotiator and as a union president, but I probably also have a unique experience that I doubt that even the meagre number of union-experienced members of that caucus have: I have actually been a WCB recipient. I am one who suffered a serious industrial accident.

Mr. Breagh: Head injury.

Mr. Runciman: I know where you had an injury and I am not going to talk about it in public.

In any event, I suffered a serious facial burn a number of years ago.

Mr. Breagh: Get that cross off my lawn.

Mr. Runciman: You know, I take offence at a remark that was just made by the member for Oshawa; I take great offence at it. Their sensibilities are so tender when you start challenging the fact that they pretend to be the only spokespersons for the working men and women in this province. It is phoney and the people out there do not believe it and have never believed it, and that is reflected in the fact that most union people in this province consistently do not vote for that party; they vote for the

Liberal or Conservative parties. So it is a phony image and one they just cannot stand to face up to.

Mr. Laughren: Careful, Bob, careful. Close to the edge.

Mr. Runciman: I am not close to the edge, I am just irritated by the kinds of irresponsible remarks that the member for Oshawa consistently likes to make.

I want to talk about the fact that I suffered a serious injury, a facial burn, when I was sprayed by liquid urea quite a number of years ago. I came close to losing my sight and I now, on a continuous basis, suffer from skin cancer problems with my face because of that injury. So I think I am speaking with some empathy with respect to injured workers in this province because I have suffered a serious industrial accident and I have been a recipient of WCB benefits.

I do not pretend at this stage in my life to be totally familiar with the workings of the WCB at present, but I know that my party does indeed fully support the idea of very thorough public committee hearings on this bill. As the member for Sudbury East (Miss Martel) very articulately pointed out during her comments, one of the main concerns that has arisen is the lack of details about the consultative process.

We hope that the minister is going to inform us which employer-employee groups he met with. I think we would like to know the dates, the times, who attended these meetings and just how meaningful they were. As the member for Sudbury East pointed out, many interest groups in this province have indicated that they were not consulted.

I think most important about this whole exercise, the minister suggested that Saskatchewan is looking at adopting Ontario's format. Well, I would suggest that they take a second look at it. It may indeed be possible in a province with a relatively small population, but when you take a look at the process in the province of Ontario, I think those of us who have some experience with it over the past number of years as elected members appreciate very much that it is indeed a quagmire or, as the former member for Sudbury East used to describe it, a swamp.

You know, again I have to throw in something about the NDP. There is an analogy here in terms of the fact that they want the government to get into the business of providing auto insurance in the province, and I think it is a fair analogy to talk about what has happened in respect to the operations of the Workers' Compensation Board

and the auto insurance operations being conducted by this province through the government. I think we would be into another situation that would not satisfy anyone in the province and would create interminable delays and frustration among consumers.

We know about the delays in getting answers from the WCB. I know that my colleagues from northern Ontario, and certainly from eastern Ontario, would like to put on the record their concerns about regional disparities, and I am sure this is something you have experienced in your role as a member, Mr. Speaker. It is the regional disparities that exist in terms of rehabilitation services.

1750

We also have concerns about the amount of money being spent on the mushrooming bureaucracy at the tribunal and the board. They seem to be spending a lot of time and money studying each other.

When we talk about delays, again we can talk about delays in medical assessments. We know all about those kinds of problems: delays in appeal hearings from 12 to 18 months. In many instances, we are seeing employees driven to hire lawyers at their own expense because of the complexities of the system.

I do not have that many WCB cases in my office, but it is probably one of the most significant parts of the workload for some of the members in some of the more heavily industrialized areas like Hamilton. I certainly do not have a workload of WCB cases to compare with members in those areas, but I know that one of the problems which seems to be coming to the fore more frequently now relates to the complexities of the system and the delays and the difficulty injured workers have in understanding just what is going on.

When you talk to the board about the availability of workers' advisers, you are now told: "If you want a workers' adviser, you're going to have to look at waiting for up to a year or longer before we can provide you with a workers' adviser." This is simply ludicrous. What kind of situation are we placing these people in to get through this complex maze of rules, regulations, guidelines and process, when we are not prepared to readily provide assistance to these people, many of them of modest means and many of them, certainly in the larger urban centres, with language and communication problems, operating under severe conditions with a variety of problems, obviously with their health, but

with other problems in terms of income levels in their home?

We are not in any way, shape or form really improving the system and enabling these people to better understand the system and the opportunities available to them to get into the system and to expedite their personal cases. I think it is nothing less than a crime that this government, through the WCB, is not in a position to provide, in very short order, these people with workers' advisers.

I hope the minister will, through his chairman of the WCB, look at taking very prompt action in respect to remedying that particular concern. I have difficulty in understanding any delays in prolonging the current situation. Coming from a riding which does not deal, I am sure, with the numbers the member for Hamilton East or other areas is dealing with on an ongoing basis, it is much more of a problem for individual members like that particular member.

There are a couple of other things we should be talking about. I talked about delays. Going along with that theme is also the delays many workers face in respect to reviews of assessment levels.

As a result of all of this, we have very unhappy injured workers across this province, as was witnessed yesterday in a very graphic way. We have, obviously, employers across this province who have a whole range of concerns. They are also quite unhappy. If members have talked to any of them lately, I think they will be aware that employees of the board are very unhappy and very disillusioned with what is going on within the system. They are looking for answers; they are looking for guidance; they are looking for direction. They are just not receiving it.

We are making a request, and I am sure this will be reinforced by the critic at some point during the debate on this bill, but before the end of second reading, we are requesting that the minister table with the House the economic impact statements that were made available to cabinet that prove the effect of this legislation is revenue-neutral, and that is in both the short and long term.

It is one thing for the minister to get up and make statements like that. I think there is a great deal of concern in respect to this particular issue and I think the minister has a responsibility, if he has those facts—and we are advised that he has and presented them to cabinet to make all members of this Legislature privy to that information. It is very important and we are going to continue to request that, and perhaps in

much stronger language as this debate progresses.

We are also, throughout this process, going to expect the minister to provide this Legislature with specific examples of how the pension and rehabilitation systems would work.

That exhausts my comments. I appreciate having the opportunity to have input into this very important debate.

The Deputy Speaker: Thank you. Are there any questions and comments on the member's statement? If not, would someone wish to adjourn the debate on that particular matter?

On motion by Mr. Runciman, the debate was adjourned.

BUSINESS OF THE HOUSE

Hon. Mr. Conway: Pursuant to standing

order 13, I would like to indicate the business of the House for the coming week.

On Monday, October 24, we will resume the adjourned debate on the motion for interim supply. On Tuesday, October 25, and Wednesday, October 26, we will resume this, the adjourned debate on Bill 162, the Workers' Compensation Amendment Act. On Thursday, October 27, in the morning we will consider the private members' business standing in the names of Mr. Mackenzie and Mrs. Marland. In the afternoon of Thursday, if necessary, we will resume debate on the motion for interim supply, followed by the estimates of the Minister of Revenue (Mr. Grandmaître).

The House adjourned at 5:58 p.m.

ALPHABETICAL LIST OF MEMBERS*

(130 seats)

First Session, 34th Parliament

Lieutenant Governor: Hon. Lincoln M. Alexander, PC, QC

Adams, Peter (Peterborough L)
 Allen, Richard (Hamilton West NDP)
 Ballinger, William G. (Durham-York L)
 Beer, Charles (York North L)
 Black, Kenneth H. (Muskoka-Georgian Bay L)
 Bossy, Maurice L. (Chatham-Kent L)
Bradley, Hon. James J., Minister of the Environment (St. Catharines L)
 Brandt, Andrew S. (Sarnia PC)
 Breaugh, Michael J. (Oshawa NDP)
 Brown, Michael A. (Algoma-Manitoulin L)
 Bryden, Marion (Beaches-Woodbine NDP)
 Callahan, Robert V. (Brampton South L)
 Campbell, Sterling (Sudbury L)
Caplan, Hon. Elinor, Minister of Health (Oriole L)
 Carrothers, Douglas A. (Oakville South L)
 Charlton, Brian A. (Hamilton Mountain NDP)
 Chiarelli, Robert (Ottawa West L)
 Cleary, John C. (Cornwall L)
 Collins, Shirley (Wentworth East L)
Conway, Hon. Sean G., Minister of Mines (Renfrew North L)
 Cooke, David R. (Kitchener L)
 Cooke, David S. (Windsor-Riverside NDP)
 Cordiano, Joseph (Lawrence L)
 Cousens, W. Donald (Markham PC)
 Cunningham, Dianne E. (London North PC)
 Cureatz, Sam L. (Durham East PC)
Curling, Hon. Alvin, Minister of Skills Development (Scarborough North L)
 Daigeler, Hans (Nepean L)
 Dietsch, Michael M. (St. Catharines-Brock L)
Eakins, Hon. John F., Minister of Municipal Affairs (Victoria-Haliburton L)
Edighoffer, Hon. Hugh A., Speaker (Perth L)
 Elliot, R. Walter (Halton North L)
Elston, Hon. Murray J., Chairman of the Management Board of Cabinet (Bruce L)
 Epp, Herbert A. (Waterloo North L)
 Eves, Ernie L. (Parry Sound PC)
 Farnan, Michael (Cambridge NDP)
 Faubert, Frank (Scarborough-Ellesmere L)
 Fawcett, Joan M. (Northumberland L)
 Ferraro, Rick E. (Guelph L)
 Fleet, David (High Park-Swansea L)

Fontaine, Hon. René, Minister of Northern Development (Cochrane North L)
Fulton, Hon. Ed, Minister of Transportation (Scarborough East L)
 Furlong, Allan W. (Durham Centre L)
Grandmaitre, Hon. Bernard C., Minister of Revenue (Ottawa East L)
 Grier, Ruth A. (Etobicoke-Lakeshore NDP)
 Haggerty, Ray (Niagara South L)
 Hampton, Howard (Rainy River NDP)
 Harris, Michael D. (Nipissing PC)
 Hart, Christine E. (York East L)
 Henderson, D. James (Etobicoke-Humber L)
Hošek, Hon. Chaviva, Minister of Housing (Oakwood L)
 Jackson, Cameron (Burlington South PC)
 Johnson, Jack (Wellington PC)
 Johnston, Richard F. (Scarborough West NDP)
 Kanter, Ron (St. Andrew-St. Patrick L)
Kerrio, Hon. Vincent G., Minister of Natural Resources (Niagara Falls L)
 Keyes, Kenneth A. (Kingston and The Islands L)
 Kozyra, Taras B. (Port Arthur L)
Kwinter, Hon. Monte, Minister of Industry, Trade and Technology (Wilson Heights L)
 Laughren, Floyd (Nickel Belt NDP)
 LeBourdais, Linda (Etobicoke West L)
 Leone, Laureano (Downsview L)
 Lipsett, Ron (Grey L)
 Lupusella, Tony (Dovercourt L)
 MacDonald, Keith (Prince Edward-Lennox L)
 Mackenzie, Bob (Hamilton East NDP)
 Mahoney, Steven W. (Mississauga West L)
Mancini, Hon. Remo, Minister without Portfolio (Essex South L)
 Marland, Margaret (Mississauga South PC)
 Martel, Shelley (Sudbury East NDP)
 Matrundola, Gino (Willowdale L)
 McCague, George R. (Simcoe West PC)
 McClelland, Carman (Brampton North L)
 McGuigan, James F. (Essex-Kent L)
 McGuinty, Dalton J. (Ottawa South L)
 McLean, Allan K. (Simcoe East PC)
McLeod, Hon. Lyn, Minister of Colleges and Universities (Fort William L)
 Miclash, Frank (Kenora L)
 Miller, Gordon I. (Norfolk L)

- Morin, Gilles E. (Carleton East L)
 Morin-Strom, Karl E. (Sault Ste. Marie NDP)
 Neumann, David E. (Brantford L)
 Nicholas, Cindy (Scarborough Centre L)
 Nixon, J. Bradford (York Mills L)
Nixon, Hon. Robert F., Deputy Premier,
 Treasurer of Ontario and Minister of Economics
 and Minister of Financial Institutions
 (Brant-Haldimand L)
Oddie Munro, Hon. Lily, Minister of Culture
 and Communications (Hamilton Centre L)
 Offer, Steven (Mississauga North L)
O'Neil, Hon. Hugh P., Minister of Tourism and
 Recreation (Quinte L)
 O'Neill, Yvonne (Ottawa-Rideau L)
 Owen, Bruce (Simcoe Centre L)
Patten, Hon. Richard, Minister of Government
 Services (Ottawa Centre L)
 Pelissero, Harry E. (Lincoln L)
Peterson, Hon. David R., Premier and President
 of the Council and Minister of Inter-
 governmental Affairs (London Centre L)
 Philip, Ed (Etobicoke-Rexdale NDP)
Phillips, Hon. Gerry, Minister of Citizenship
 (Scarborough-Agincourt L)
 Poirier, Jean, Deputy Speaker and Chairman of
 the Committees of the Whole House (Prescott
 and Russell L)
 Pollock, Jim (Hastings-Peterborough PC)
 Polsinelli, Claudio (Yorkview L)
 Poole, Dianne (Eglinton L)
 Pope, Alan W. (Cochrane South PC)
 Pouliot, Gilles (Lake Nipigon NDP)
 Rae, Bob (York South NDP)
Ramsay, Hon. David, Minister of Correctional
 Services (Timiskaming L)
 Ray, Michael C. (Windsor-Walkerville L)
 Reville, David (Riverdale NDP)
 Reycraft, Douglas R. (Middlesex L)
Riddell, Hon. Jack, Minister of Agriculture and
 Food (Huron L)
 Roberts, Marietta L. D., Deputy Chairman of the
 Committees of the Whole House (Elgin L)
 Runciman, Robert W. (Leeds-Grenville PC)
 Ruprecht, Tony (Parkdale L)
Scott, Hon. Ian G., Attorney General
 (St. George-St. David L)
 Smith, David W. (Lambton L)
Smith, Hon. E. Joan, Solicitor General
 (London South L)
 Sola, John (Mississauga East L)
Sorbara, Hon. Gregory S., Minister of Labour
 (York Centre L)
 South, Larry (Frontenac-Addington L)
 Sterling, Norman W. (Carleton PC)
 Stoner, Norah (Durham West L)
 Sullivan, Barbara (Halton Centre L)
Sweeney, Hon. John, Minister of Community
 and Social Services (Kitchener-Wilmot L)
 Tatham, Charlie (Oxford L)
 Velshi, Murad (Don Mills L)
 Villeneuve, Noble (Stormont, Dundas and Glen-
 garry PC)
Ward, Hon. Christopher C., Minister of
 Education (Wentworth North L)
 Wildman, Bud (Algoma NDP)
Wilson, Hon. Mavis, Minister without Portfolio
 (Dufferin-Peel L)
 Wiseman, Douglas J. (Lanark-Renfrew PC)
Wong, Hon. Robert C., Minister of Energy
 (Fort York L)
Wrye, Hon. William, Minister of Consumer and
 Commercial Relations (Windsor-Sandwich L)
 Vacancy: Welland-Thorold

*The alphabetical list of members appears in each issue. Lists of the members of the executive council, parliamentary assistants and members of committees, brought up to date as necessary, are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

CONTENTS

Thursday, October 20, 1988

Private members' public business

Waste disposal , resolution 43, Mr. Brandt, Mr. McClelland, Mr. Wildman, Mrs. Marland, Mrs. Fawcett, negatived	5039
Integrated rail transportation plan , resolution 40, Mr. Tatham, Ms. Bryden, Mr. Cureatz, Mr. Keyes, Mr. Morin-Strom, Mrs. Marland, agreed to	5049

Members' statements

Retail store hours , Mr. Farnan, Hon. Mr. Conway, Mr. D. S. Cooke	5060
School accommodation , Mrs. Cunningham	5060
Fire prevention , Mrs. Fawcett	5061
Accident compensation , Mr. Laughren	5061
Miss Ottawa Rough Rider , Mr. Sterling	5061
Erinoak , Mr. Mahoney	5062
Hazardous waste , Mr. Hampton	5062

Statements by the ministry/Déclarations ministérielles

Healthy lifestyles promotion program , Hon. Mrs. Caplan	5063
Trustee representation , Hon. Mr. Scott	5064
Consumer Week , Hon. Mr. Wrye	5064
La semaine du consommateur , l'hon. M. Wrye	5064
Occupational health and safety , Hon. Mr. Sorbara	5065
Santé et sécurité du travail , l'hon. M. Sorbara	5065
Wetlands management , Hon. Mr. Kerrio	5066

Responses

Occupational health and safety , Mr. Mackenzie	5066
Trustee representation , Mr. Allen	5066
Healthy lifestyles promotion program , Mr. Reville	5066
Wetlands management , Mr. Wildman	5067
Consumer Week , Mr. Farnan	5067
Trustee representation , Mr. Jackson	5067
Healthy lifestyles promotion program , Mr. Eves	5068
Consumer Week , Mr. Harris	5068

Oral questions

Workers' compensation , Mr. B. Rae, Hon. Mr. Peterson	5068
Community and home support services , Mr. B. Rae, Hon. Mr. Peterson	5069
Waste management , Mr. Brandt, Hon. Mr. Peterson	5070
Trustee representation , Mr. Jackson, Hon. Mr. Ward	5071
Legal aid , Mr. Hampton, Hon. Mr. Scott	5071
Education funding , Mr. Jackson, Hon. Mr. Ward	5072
Red meat development program , Mr. Owen, Hon. Mr. Riddell	5073
Court facilities , Mr. Charlton, Hon. Mr. Scott	5073
Rouge Valley , Mr. Cousens, Hon. Mr. Peterson, Mrs. Marland	5075
Social assistance , Mr. Adams, Hon. Mr. Sweeney	5075

Scheduling of meetings , Mr. Wildman, Hon. Mr. O'Neil	5076
Retail store hours , Mr. McLean, Hon. Mr. O'Neil	5077
Landfill site , Mr. Owen, Hon. Mr. Bradley	5077
Homes for the aged and nursing homes , Ms. Bryden, Hon. Mrs. Caplan	5078
Niagara Regional Police , Mr. Runciman, Hon. Mrs. Smith	5079

Petitions

Canada Post , Mr. Faubert, tabled	5079
Retail store hours , Mr. Wildman, tabled	5079
Naturopathy , Mr. Daigeler, tabled	5080
Retail store hours , Mr. Pouliot, tabled	5080
Workers' compensation , Mr. Wildman, Mr. Laughren, Mr. Reville, tabled	5080
Retail store hours , Mr. Hampton, tabled	5081
Workers' compensation , Ms. Bryden, tabled	5081
Retail store hours , Mr. Laughren, Mr. Reville, tabled	5082
Workers' compensation , Mr. Hampton, tabled	5083
Retail store hours , Mr. Reville, Mr. Laughren, tabled	5083

Motion

Private members' public business , Hon. Mr. Conway, agreed to	5083
--	------

First readings

Occupational Health and Safety Amendment Act , Bill 180, Hon. Mr. Sorbara, agreed to	5083
City of Ottawa Act , Bill Pr6, Mr. Morin, agreed to	5083
Legislative Assembly Amendment Act , Bill 181, agreed to	5083

Second reading

Workers' Compensation Amendment Act , Bill 162, Hon. Mr. Sorbara, Miss Martel, Mr. Mackenzie, Mr. Runciman, adjourned	5084
--	------

Other business

Recess	5059
Use of time in routine proceedings , Mr. Laughren, Mr. Speaker, Hon. Mr. Conway, Mr. D. S. Cooke	5062
Members' anniversaries , Mr. Brandt	5069
Withdrawal of Bill 111 , Mr. Reville, agreed to	5083
Withdrawal of Bill 112 , Mr. Epp, agreed to	5084
Business of the House , Hon. Mr. Conway	5108
Adjournment	5108
Alphabetical list of members	5109



SA2DN
X1
-D23

No. 92

Hansard

Official Report of Debates

Legislative Assembly of Ontario

First Session, 34th Parliament
Monday, October 24, 1988



Speaker: Honourable Hugh A. Edighoffer
Clerk of the House: Claude L. DesRosiers

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$16.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Monday, October 24, 1988

The House met at 1:30 p.m.

Prayers.

VISITORS

Mr. Speaker: I would call to the attention of the members of the House the fact that we have a visitor at the table, Missy Follwell, Clerk Assistant of the Legislative Assembly of the Yukon, who is visiting us under the attachment program in the Clerk's office. Please join me in welcoming her.

I also draw to the members' attention a visitor in the lower west gallery, Bud Gregory, a former member of this Legislature. Welcome, Mr. Gregory.

MEMBERS' STATEMENTS

HERITAGE LANGUAGES

Mr. R. F. Johnston: The longer I am here—and it does feel like a long time now—the more I am continually surprised by the ironies of this place. Late on Friday afternoon, I was informed by the Ministry of Education that the next day it would be making an announcement on heritage languages.

That announcement was not made in this chamber; it was made in a public school in Metropolitan Toronto. The announcement, of course, was that heritage languages will be made available at those kinds of hours: Saturday mornings, late in the afternoons. The Scarborough amendment, much desired by those of us who have been fighting for heritage language improvements over the years, is finally coming into play.

It is bemusing, as well, to note that this announcement was in no way different from the initial yellow paper put forward by the then Minister of Education, the member for Renfrew North (Mr. Conway). It still did not come to grips fundamentally with what heritage languages are all about. Instead, it sees it still only as an adjunct. It does not see it as a very important statement of recognizing the status of the individual multicultural backgrounds of the kids in our school system, let alone recognizing the need for Canada to use those resources of their

language skills in our future international prospects for our finance and diplomacy.

It is ironic, as well, that it was not made as a statement of this House to which we could then respond appropriately and that the Education Act does not even need to be amended to make this major change in the way things are done in Ontario.

I am here to thank the government for taking the tiny step it has undertaken, but I greatly regret that it has not gone further.

JOE PHILION

Mr. McLean: It is with great pleasure and joy that I rise in this House to welcome a young man who has become an inspiration to the residents of the Orillia area and the people of Ontario.

After 224 days of gruelling treatment and a rugged determination to live, 15-year-old Joey Phillion has arrived today at Toronto after treatment for severe burns at the Shriners Burns Institute in Boston. Joey still has at least six months of treatment ahead of him before he returns to the Orillia area. He will now be under the care of the doctors and nursing staff at our Hospital for Sick Children, whom we all know are famous for their care and treatment of children. We hope that after a few months, Joey will be allowed to go home to Orillia.

The other hat I wear sometimes, other than being a member of the Legislature, is a Shriners hat. I would like to take this opportunity to thank the Shriners across North America for their support to the burn units in North American hospitals. My wife, Marjory, and I had the opportunity last spring to visit the burn unit in Boston. It is a beautiful hospital and we were both impressed with the work that it is doing.

I would like to thank the people of Ontario, friends of Joey and his family, and friends for the wonderful care they have given. It is a delight to be part of this great association that raises funds for children who are less fortunate than we are.

MULTICULTURAL PUBLICATION

Mr. Furlong: Art, Symbolism, Multiculturalism is a selective publication emerging from an art contest, which was open to adult artists and high school students residing in Durham region,

depicting the many aspects of an intercultural and multicultural dialogue. The community project was organized by the Multicultural Council of Oshawa and District and the Oshawa Folk Arts Council in conjunction with both the public and separate school boards, Durham College of Applied Arts and Technology, the Oshawa Art Association, the Oshawa Times and Oshawa-Whitby This Week.

This is the second book of the Multicultural Council of Oshawa and District. Two years ago the publication *Hang on in Harmony*, a collection of essays, poetry, compositions and art by children and adults, served to reflect the variety of cultures which enrich our lives. With *Hang on in Harmony*, Art, Symbolism, Multiculturalism will be a tangible tribute to those believing in the cultural and symbolic effects of a pictorial essay expressed throughout the passage of time.

An art exhibition featuring works submitted by local artists and students will be held at the Robert McLaughlin Gallery from October 25 to October 29, with the book launching on October 26.

I salute the chairperson of both publications, Carmen E. Germano. Her vision, dedication and commitment have been the spark in fostering a sense of community among the residents of Durham.

CHEMICAL PLANT

Mr. Hampton: For the past few weeks, many of the citizens who reside in and around the town of Dryden have been left wondering what has happened to the Ontario Ministry of the Environment.

Earlier this fall, a chemical company began building a new chemical plant on the shores of the Wabigoon River in Dryden. What citizens could not believe is that, upon checking with the Ministry of the Environment office, they found that the Ministry of the Environment knew nothing about the construction of the new plant. In fact, upon further investigation, it was learned that the company had not even obtained any environmental approvals for the construction of the plant. People in Dryden could not believe this.

When a further approach to the Ministry of the Environment officials was made, the MOE officials said: "We feel sort of hamstrung. Our proactive capacity to stop this kind of construction is limited. We just do not have the legislation. We have to wait until the plant begins to pollute before we can really do anything."

People in Dryden are somewhat amazed that in this day and age, when the government professes to have great concern with the environment, our legislation still permits this sort of thing to go on. Not to worry, however: construction of the plant has been discontinued—discontinued because after construction was begun, the chemical company found out it did not even own the land that it was building the plant on. So much for the Ministry of the Environment.

ROUGE VALLEY

Mrs. Marland: Last Thursday the Premier (Mr. Peterson) surprised the environmental community when he said, "It is the government's intention, and always has been, to preserve the Rouge." Yet on September 17 the Premier is quoted in the *Toronto Star* as saying he would not rule out housing in the Rouge Valley. The same day, in the same newspaper, the Minister of the Environment (Mr. Bradley) pledged the Rouge would become a wilderness park and that an official announcement would be made soon.

Less than a year ago, the Minister of the Environment said, "The government will have to make a decision on whether it is going to provide housing for people in this province, where it is going to provide it and what environmental lands are going to be retained for specifically those purposes."

1340

These contradictions are a far cry from a firm commitment to preserve the Rouge. Let me assure the minister and the Premier that there are many people who are concerned about preserving this land, and it is about time this government recognized this.

Now the Premier says he will preserve the Rouge. What is he going to do? Is he going to mount a nice bronze plaque at the top of the valley that says, "This is the Rouge as it was in 1988 and through it now runs the Ed Fulton Freeway"?

While I welcome the Premier's verbal commitment to preserve the Rouge, I think he owes it to the people of this province to make an immediate formal announcement regarding the government's plans for the entire Rouge.

TORONTO AREA TRANSPORTATION

Mr. Adams: The Greater Toronto Transit Review of the Minister of Transportation (Mr. Fulton), released in May, contained further evidence of this government's great interest in the proper extension of Metro towards the east. I was particularly pleased to see that the Via Rail

route between Union Station in Toronto and Peterborough was for the first time designated as a prospect for GO Transit service.

The development of Metro towards the east has a number of advantages for the province as a whole. These include relieving pressure on the great provincial resources of the fruit lands of the southwest and the Niagara Escarpment. The government is wise to encourage eastward expansion of Metro. I commend the Minister of Transportation for his efforts in extending GO Transit rail eastwards to encourage such development.

The extension of rail service to Oshawa is particularly important. As the proposed rail route into Oshawa has been subject to one full and one minor environmental assessment relatively recently, I urge the Minister of the Environment (Mr. Bradley) to waive the additional assessment which is technically required. I believe the environmental gains of rapid initiation of GO Transit to Oshawa clearly outweigh any possible gains from further environmental study.

HAP EMMS

Mr. McLean: Just briefly, I would like to draw to the attention of the House the passing of Hap Emms, who was a great sportsman in Ontario. He owned the Barrie Flyers back in the 1950s and the St. Catharines Black Hawks and was also the general manager of the Boston Bruins. The tremendous effort that he put into hockey and sportsmanship in Ontario should not go unnoticed, and I say to the family, you have our sympathy and I think the people of the province realize what this man has done for sport in Ontario.

STATEMENTS BY THE MINISTRY

HERITAGE LANGUAGES

Hon. Mr. Ward: Last Saturday, my colleague the Minister of Citizenship (Mr. Phillips) and I announced a significant new commitment to multiculturalism in Ontario which guarantees access to heritage languages programs and provides the resources to make those programs work.

I wish to inform the Legislature that as of September 1989, Ontario school boards will be required to provide heritage languages classes in elementary schools when a request to teach a particular language is made by the parents of 25 or more students of that board.

A board may offer heritage language classes itself or make arrangements with another board. The classes may be offered after school, in the

evenings, on weekends or through an extended day program.

Public school students will be permitted to attend heritage languages classes offered by another public school board. Separate school students will be able to attend classes offered by another separate school board. Other special arrangements may continue to be made between public and separate boards.

These measures are designed to fulfil this government's commitment to ensure access and participation for elementary students whose parents wish to provide for their children an opportunity to learn a heritage language. But to me, these measures mean even more than this.

Our decision to make heritage languages mandatory clearly indicates that this government respects and encourages the multicultural nature of our society. During the current session of the Legislature, I intend to introduce the legislation required to put these changes into place.

In addition, my ministry will provide incentive funds for a three-year period to help school boards provide, in consultation with other agencies and groups, in-service training programs for heritage languages staff. We will provide incentive funds for a five-year period to assist in the development of new student learning materials that meet ministry-established criteria. Funding will be provided for up to 50 per cent of the cost of development, preproduction and first run of materials. We will provide further incentive funding for a three-year period for research and the compiling and sharing of information and strategies related to successful practices in heritage language programs.

To deliver these initiatives as efficiently and as effectively as possible, my ministry will establish an advisory committee to develop criteria for applying the incentive funds and to develop a resource guide to help boards establish or further develop heritage language programs.

To measure the success of these initiatives, my ministry will carefully examine the heritage language programs over the next five years.

These initiatives are at the very heart of my ministry's role in this government's commitment to multiculturalism in Ontario.

UNITED NATIONS DAY

Hon. Mr. Phillips: Today is the 43rd anniversary of the creation of the United Nations. The organization came into existence on October 24, 1945, in the aftermath of a war that left chaos and devastation in a world already plagued by

divisions, injustice and violations of human rights.

With the establishment of the United Nations, the world was given hope for the achievement of international peace and a better future for all nations.

As you know, Mr. Speaker, the ideals expressed in the United Nations charter are more important than ever. Here in Ontario we have a living, vibrant, multicultural society that is particularly mindful of the value of the United Nations. It is an honour for this Legislature that one of its former members, Stephen Lewis, served so recently as Canada's ambassador to the United Nations and we recognize and applaud his service.

I would also like to draw to the attention of the members of the House the presence in the gallery today of another Canadian and Ontarian who is committed to upholding the values and goals of the United Nations, George Ignatieff.

Mr. Ignatieff began his career with the United Nations in 1946. He has represented Canada as our ambassador to the United Nations and has had the distinction of being president of the security council. In 1984 he was awarded the Pearson Peace Medal. We are proud of the work that Mr. Ignatieff has done on behalf of all of the people of Ontario and of Canada.

As the world marks United Nations Day, I would like to ask all members of the House to join me in the sincere hope that the United Nations succeeds in achieving its goals.

FLOODPLAIN MANAGEMENT

Hon. Mr. Kerrio: My colleague the Minister of Municipal Affairs (Mr. Eakins) and I would like to inform the House that the joint provincial policy statement on floodplain planning has been approved by cabinet. The new policy, a joint statement of our two ministries, strengthens existing provincial policy regarding floodplain management in two ways.

For the first time, it formally recognizes that flooding is a public health and safety matter and therefore a matter of provincial interest. That is why the policy statement will be issued under section 3 of the Planning Act.

That means existing policy is strengthened in a second way. As part of the Planning Act, all ministries, boards, commissions, municipalities and planning agencies must now have regard for flood concerns and flood-susceptible lands in all land use planning documents.

The approved policy statement still allows local governments flexibility when drafting land

use plans for flood-susceptible areas. The policy allows greater flexibility by introducing the opportunity to use local historic flood information for setting flood standards under certain conditions.

The new policy also provides more freedom for developing local planning solutions to flooding problems. It also provides a greater opportunity for the public to have a real influence in the local decision-making process.

1350

In finalizing this policy statement, we undertook an extensive public review. More than 4,000 copies of the draft policy were circulated throughout the province to all municipalities, all ministries, all conservation authorities, other agencies and the general public.

Two supporting documents, an implementation guideline for land use planning purposes and a technical guideline for engineering aspects, have also been prepared. These documents explain the policy and offer direction on its implementation.

As provincial flood plain managers, conservation authorities will continue to work with local municipalities and planning agencies and play a leading role in helping to implement the new provincial flood plain policy. Where conservation authorities are not in place, this role will be assumed by the Ministry of Natural Resources.

Copies of the new policy statement will be available to the public in the next few weeks.

DRUG ABUSE

Hon. Mrs. Caplan: The Ministry of Health welcomes the Black report. It confirms our belief that more needs to be done to combat drug and alcohol abuse. The report also brings focus and direction to coherent and co-ordinated action in dealing with the problems of drug dependency and illicit drug use. I wish to assure the House that we will proceed with program implementation in partnership with other ministries and community agencies and with the people of Ontario.

Young people especially need to be aware of the dangers of drug and alcohol abuse. They should be aware of the variety of prevention and treatment programs currently available. As members will know, the Ministry of Health has been administering and funding programs aimed at preventing alcohol and drug abuse for some time.

In order to promote this effort, my ministry, in association with the Addiction Research Foundation and in co-operation with the district health

councils and the Ministry of Community and Social Services, will sponsor a conference on the development of community action groups.

The task force also made recommendations regarding treatment facilities. In response, my ministry will immediately add nine inpatient beds to the Stonehenge Treatment Centre in Guelph for young and adolescent drug addicts. As well, through the interministerial committee on children's services, my ministry will work with the Ministry of Community and Social Services to develop policy and program directions for children and to prepare guidelines for the evaluation of addiction programs.

In August 1987, the Premier (Mr. Peterson) announced that the Ministry of Health would increase annual funding to mental health and addiction programs in the north by \$7.3 million annually. In April, my ministry announced additional funding for 37 new or expanded drug and alcohol counselling and education programs for Ontario's young people. This year, the Ministry of Health is spending \$35 million on 149 community-based addiction programs for people of all ages. Many of my ministry's health promotion grants, announced in May, for 29 community groups also promote an addiction-free lifestyle.

In response to the recommendations of the Black report, my ministry, along with the Addiction Research Foundation, is working, as requested, with the Ministry of Education and the Ministry of Colleges and Universities to develop curricula and teaching materials. We will also examine ways to use our existing programs to fund developmental health promotion programs for the benefit of local school boards and other appropriate learning facilities.

In addition, I have asked professional associations to bring to their attention the task force recommendations and to urge them to respond promptly to the proposals for continuing professional training in the area of illicit drug use.

The report calls for district health councils to play a greater role in planning for the prevention and treatment of drug addiction and illegal drug use. In expanding the mandate for district health councils, we will include a review of the range of drug treatment programs, as recommended by Mr. Black. I expect the district health councils to work co-operatively with the appropriate social service planning agencies and give the highest priority to reviewing addiction services. I expect that this co-operative effort between the Ministry of Community and Social Services and the Ministry of Health will serve to identify gaps and

overlaps in service to ensure that needs are met at the community level. We will monitor our progress and continue to develop programs in accordance with the recommendations of the Black report.

To ensure the close programming relationship between mental health and addictions, the co-ordinator of mental health services in my ministry will now also assume the duties of co-ordinating addiction services. In this way, a designated individual will be given responsibility to work with other ministries, agencies and the public in the development of drug addiction programs and policies.

I would like to stress that I am deeply committed to act on the recommendations of this report. I wish to join with the Premier in commending our colleague the member for Muskoka-Georgian Bay (Mr. Black) for his excellent work.

RESPONSES

DRUG ABUSE

Mr. Reville: It is difficult to know quite how to respond to the amount of fluff that the Minister of Health (Mrs. Caplan) has blown over the Legislature today about that ministry's alleged initiatives in respect to the Black report. When we get rid of the obeisance to the matrix management model of the Ministry of Health and get rid of the old announcements, basically what we have here are nine new beds and a conference, and that is an inadequate response to a very serious problem.

This government continues to view problems that people have with drugs as individual, person-centred problems, rather than systemic problems. There does not appear to be any attempt by this government to look at the origins of the despair that causes people to abuse drugs. For that, this government needs to be roundly criticized, and we on this side will continue to do that.

I might invite the government to show up on Saturday, November 5, 1988, at Jimmy Simpson Park where there will be an antidrug rally where recovering addicts will talk about why in fact they were able to get off drugs. It would certainly be a useful experience for this government to have.

FLOODPLAIN MANAGEMENT

Mr. Wildman: I rise to respond to the statement by the Minister of Natural Resources (Mr. Kerrio). I must say we on this side of the House are disappointed that the minister did not

rise to announce his review of the provincial parks which we have been waiting eagerly to hear about since the announcement was made in Temagami recently. Instead, the minister chose to make a statement about floodplains policy. I wonder if the minister is getting this confused with his oft-stated policy on wetlands.

At any rate, he says this policy is to be implemented by the conservation authorities. It is strange that at the very time the minister is adding responsibility to the conservation authorities, he is also carrying out a review of those conservation authorities and may in fact be eliminating some of them and combining some of them and making their representation less adequate than it was in the past of the various communities represented.

We have needed a floodplain policy for a long time now. We have been paying out too much money in compensation to people living in floodplains. It is about time the government moved in this area, as well as the other areas related to parks and wetlands.

HERITAGE LANGUAGES

Mr. R. F. Johnston: The new heritage languages program initiatives, reannounced today after being announced outside the House on Saturday, are a lightly masked betrayal of all the ethnic groups that appeared last spring on Bill 80 wanting real status for heritage languages in Ontario. It is a half-measure that is worthy of old Tory governments that used to deal with this issue.

For those of us in Scarborough who have been fighting for years to get the Scarborough amendment, we are pleased to see that things are being made mandatory and that Luke Tao, Joe Ng, Poppi Plesas and all those other people who have been fighting for years to get that board to come to its senses now at least have this to hold on to.

1400

We will be ordering this new legislation out to committee as quickly as we can in order to remind this government about what the real desires of the ethnic community are, to deal with the philosophical questions which underlie this initiative about what status we want for heritage languages in our education system. Is it an after-four event? Is it a little adjunct we want to put on or is it something which is basic to the education process in Ontario?

In their responses to the initiative taken by the then Minister of Education, the member for Renfrew North (Mr. Conway), some year and a half ago, almost all the boards of education said

that a minimum of 60 per cent of the cost should be borne by the province and, if it was going to be a mandatory program, 100 per cent of the costs should be accepted. Instead, this government is talking about picking up about 50 per cent of the costs.

The final thing I would say is that the minister is soon going to be making an announcement around deaf education and he knows what the feelings of the deaf community are. I would have hoped that today he would have stood in this House—

Mr. Speaker: I think the member is straying somewhat.

Mr. R. F. Johnston: I am not, sir.

I would have hoped that today he would have stood in this House and said that ASL, American sign language, would finally be recognized as a heritage language in Ontario.

Mr. Jackson: Let us make no mistake about where the Minister of Education (Mr. Ward) is taking us with his announcement today on heritage languages. He is saying, first, that heritage preservation is not a matter for the Ministry of Culture and Communications but is solely an issue of education and, second, that the first responsibility for heritage preservation lies not with the families and not with community multicultural groups but with the state.

Like many of this minister's announcements, he has raised more questions than he has answered. For example, is there now to be no role for the family in the preservation of heritage? Perhaps the greatest contribution which new Canadians have made to the social fabric of this province is their commitment to the concept of the family. Preservation of cultural heritage has gone hand in hand with a strong defence of the family unit. Now this government is saying that this essentially community and family experience, that of passing down language and culture from generation to generation, is now solely the responsibility of the state.

A second question is raised by the decision to force local school boards to pick up the costs, whereas the previous model gives local boards the freedom to choose. Given the many needs that are facing Ontario's education system, three major ones which the minister's own government and party raised in the last two elections—the provincial share of education fundings to be 60 per cent; George Radwanski's claim for a computer literacy program, and the capital space needs in many parts of this province—in the absence of any clear statement today on funding, is it right to force these needs to compete with

third-language education for badly needed education funds?

Another question: What role has the Minister of Culture and Communications (Ms. Oddie Munro) been playing in this issue? Why has she been specifically eliminated?

What about these arbitrary quotas the minister has arranged? Why are we requiring a form of congregation which overrides one of the most significant principles of public education, that schools serve to unite and not to divide intercultural relationships?

All new Canadians have the same priorities for their children as anyone else in this province. All parents want their children to receive a good education, to be welcomed and to be prepared for a job and a good life in this province.

If the ministry really wants to make new Canadian students feel they belong, the way to do it is not with announcements like this but with policies that will truly offer equality of opportunity to all students. The minister could end early streaming in Ontario schools, which discriminates on the basis of language and cultural origins.

DRUG ABUSE

Mr. Brandt: I want to respond very briefly to the Minister of Health (Mrs. Caplan) with respect to the initiatives she has announced today in regard to drug programs in Ontario. We only have a limited amount of time so I will have to speak briefly on this, but in reflecting on the 29 recommendations that came out of the Black report, I would like to remind the minister that one of the key recommendations was a need for the co-ordination of these various programs.

I think the minister should be applauded in that sitting close to the Minister of the Environment (Mr. Bradley) as she does, a few seats down—I guess right next door to him—obviously recycling has caught the mode over there, in the sense that she is recycling many of the programs that she has had in place in the past. There is nothing particularly new about what she is saying today with respect to an announcement indicating that nine new beds are going to be made available in Ontario when in fact she knows as well as I do that some 1,000 patients had to be treated out of province for either drug or alcohol addiction in the course of the year 1987.

Treatment is one aspect of a co-ordinated program. Certainly education is another aspect, and a very important one. The co-ordination of those programs is fundamental to the improvement of this particular problem and to getting rid

of the drug problem. But we have not as yet heard from either the Solicitor General (Mrs. Smith) or the Attorney General (Mr. Scott) on this particular matter with any kind of uniform, co-ordinated voice. That is what we are looking for on this side to make it a truly effective drug program that will meet the needs of the province.

FLOODPLAIN MANAGEMENT

Mr. McLean: Just briefly to the statement that the Minister of Natural Resources (Mr. Kerrio) made with regard to the wetlands floodplain policy, I do not know whom he consulted with. He should talk to the municipalities in Ontario and listen to what they have to say, because the announcement he made today really has a bearing on what they do and he has not even talked to them yet.

VISITOR

Hon. Mr. Conway: Before oral questions, I would like to welcome Bud if no one has done so. I would also like to point out that—

Interjection.

Hon. Mr. Conway: I was going to welcome Bud, but if he has already been welcomed, he has been welcomed.

BIRTH OF MEMBER'S CHILD

Hon. Mr. Conway: I wanted as well to point out simply that our colleague the member for Scarborough Centre (Miss Nicholas) has returned. I wanted, on our behalf, to welcome her and congratulate her and her husband on the birth of their new baby daughter.

ORAL QUESTIONS

CHILD CARE

Mr. B. Rae: In view of the absence of the Premier (Mr. Peterson), I would like to address some questions today about the government's commitment to the Thomson report to the Minister of Community and Social Services.

The minister, I am sure, will be aware that there are two recommendations in the Thomson report that are quite specific with regard to the issue of child care. If I could quote from one, it says, "The province and boards of education should expand the provision of in-school child care programs to encourage and enable adolescent mothers to complete their secondary education." That is set out as recommendation 109 of the Thomson report.

I would like to ask the minister a specific question with regard to the program at Burnhamthorpe Collegiate Institute in Etobicoke, where

we have heard directly from one student, whose name is Dortyne Ramocan, who has told us that she had to drop out of grade 10 because there are no spaces for her in that child care centre.

I wonder if the minister can explain why what his government is not doing flies directly in the face of the Thomson report, but surely more compellingly for the minister it means there are many, many young women who are not able to go back to school, who are stuck on welfare because his government is not going to provide them with child care.

Hon. Mr. Sweeney: The honourable member will be aware of the fact that a year ago we announced that we would put a day care centre in every new school that was built in the province. In 1987, 44 schools were approved, at a total cost of something like \$11 million. In 1988, 55 schools were approved, at a cost of in the neighbourhood of \$15 million. So once again we made that commitment for the very kinds of reasons the honourable Leader of the Opposition has indicated.

The second point I would draw to his attention is that he will recall that about a month ago it was brought to our attention that the program at Burnhamthorpe Collegiate was in danger of not operating at all. Staff of my ministry sat down with staff in Metro and worked out a plan whereby, in fact, that program is in place.

Mr. B. Rae: If I could just briefly respond to that last comment by the minister, we have spoken to the Burnhamthorpe people today and they tell us that his statements last week were not entirely correct; that, in fact, their centre may have to close in two months unless it gets more subsidized children enrolled.

1410

My supplementary has to do with the fact that in the regional municipality of Waterloo, an area that is not unknown to the minister, the number of women with children who are now on welfare has gone up from 403 in July to 475 in September. In trying to explain this, a report by the region's commissioner of social services says, "One can reasonably speculate that the unavailability of subsidized child care in the region contributes to increases in this case load as new cases gravitate to welfare."

We are seeing a government that is going in the opposite direction of what it says should happen and what Judge Thomson says should happen. How can the minister justify doing nothing in response to this critical situation when there are more women on welfare, fewer women in school, and that is exactly the opposite of the

direction this province should be going in when it comes to providing for men and women?

Hon. Mr. Sweeney: The Leader of the Opposition may be aware of the fact that we have a program called employment support initiatives, ESI, which is attached to many of our municipalities. Certainly there is one here in Metro and there is one in Waterloo as well. In both of those cases, there are a certain number of day care spaces that go with that particular initiative. In Metro, until very recently, it was up around 1,000.

The whole purpose of that is to indicate very clearly a recognition that day care spaces and single mothers on welfare transiting to the workplace or to education should be tied together. In fact, that is being done.

The second point I would bring to the member's attention is that, clearly, Judge Thomson's report indicates there should be a closer relationship between the priority needs of single parents wanting to go back to work or to go for education. The member will be aware of the fact that in Metro right now, that priority listing is not there, other than the program that I specifically referred to.

He will also perhaps be aware of the fact that we have had recent discussions with Metro indicating that while we move over a period of several years from a welfare system to a public system, priorities are going to have to be in place. He will be aware of the fact that in Metro it is on a first-come, first-served basis, so long as you meet the eligibility criteria. In Metro, we have clearly indicated that is not good enough.

Mr. B. Rae: It is curious that the minister would be trying to turn child care into a welfare system when that is the exact opposite of what his leader promised in the last election campaign.

Recommendation 116 of the Thomson report says, "Sole-support parents receiving social assistance who participate in activities designed to increase their capacity for self-reliance should be guaranteed access to subsidized child care."

Does the minister not think that a system in Metropolitan Toronto, for example, where we have nearly 2,000 empty spaces in child care and 4,000 people on the waiting list, is a definition of a system that simply is not working and that he has to address that problem right now?

Hon. Mr. Sweeney: I would point out to the honourable member that in January 1987 there were 1,800 vacancies in Metro. During 1987, we added 2,000 new subsidy spaces. In 1988, we added 1,000 subsidy spaces. That is 3,000 over that two-year period.

I would draw to his attention that as a result of those, the 1,800 in January 1987 was down to 1,400 in January 1988, 1,300 in February, 1,200 in March, 1,100 in April and 1,000 in June. It was down to a little over 900 in July and then shot up in August to almost 1,500—the very same time that Metro increased the rates in those centres by 12.5 per cent to increase wages, despite the fact that this ministry had just put \$16 million into Metro for the purpose of increasing wages. That is part of the problem.

Mr. Speaker: New question.

Mr. B. Rae: I am sure it will be novel to those working in the field—

Mr. Speaker: To which minister?

Mr. B. Rae: To the same minister. It will be novel to those working in the field that the reason we have a problem is because Metro is not turning it into a welfare system and the people who are working in child care are overpaid. That is Liberalism personified. That is what stinks about Liberalism when it comes to child care in this province. That is what—

Mr. Speaker: Order.

Mr. B. Rae: By way of another question to the minister, if I could have the minister's attention—
Interjections.

Mr. Speaker: Order.

COMFORT ALLOWANCES

Mr. B. Rae: I do have a new question for the minister. It concerns another area in which what the government is doing goes directly in the opposite direction from what is recommended in the Thomson report.

The minister will be aware that patients in psychiatric hospitals and psychiatric institutions do not in fact receive any moneys from the provincial government with respect to a monthly allowance of any kind at this point. They are not supplied with cigarettes, soft drinks or coffee between meals, makeup, money for individual social activities such as movies, funds for gift-giving, Christmas presents and so on. The evidence was produced before a Social Assistance Review Board hearing that in fact patients in psychiatric institutions had to scrounge for cigarettes and that they had no comfort allowance.

In a recent decision, the Social Assistance Review Board said that while it was impossible because of the regulations to provide for a comfort allowance, it was possible to find that a disabled person should receive what is called a

special needs minimum, which is in fact exactly what the board ordered to happen.

Mr. Speaker: Question?

Mr. B. Rae: I wonder if I could ask the minister why he is refusing to implement that decision and why in fact his ministry is asking the Social Assistance Review Board to review that decision so that psychiatric patients are still having to scrounge for cigarettes and chocolates.

Hon. Mr. Sweeney: Last year, this government raised the comfort allowance to disabled people, including those in some institutional settings, from \$77 to \$100. We indicated at that time that we will be reviewing the entire process as to who is and is not eligible for that allowance. The honourable member may be aware of the fact that the Ministry of Health and the Ministry of Community and Social Services have a proposal at the present time to expand that to include other areas. That is on the table right now.

We indicated to the Social Assistance Review Board that that was currently in process, we expected it to be approved fairly shortly and in the interval asked that it simply hold or review that decision. I have reason to believe that that decision will be made very, very shortly.

Mr. B. Rae: The minister cannot get away from the fact that Judge Thomson said he found it appalling that patients in psychiatric institutions were not eligible for this allowance. He stated very categorically that the allowance—and I am quoting from recommendation 59—“should immediately be made uniform with the higher amount that aged people now receive and should be paid at this level to all who are eligible for it.” That is what Judge Thomson said in September. In August there was a decision which granted people in psychiatric institutions a little something on August 22; just a little something. Why would his ministry have refused to implement that decision?

Hon. Mr. Sweeney: I believe in my last answer I clearly said to the honourable Leader of the Opposition that a proposal to add patients in psychiatric hospitals and in other institutions to the current payment fee of \$100 a month was in process right at the present time and that I expected it to be approved rather shortly. Now what more does the honourable member want?

Mr. B. Rae: The minister is asking people who are in psychiatric institutions to believe that their cheque is in the mail. I do not think they should believe the minister when he says that. His actions speak far louder than his words.

I am asking the minister why he would have refused to implement a decision that was made on August 22 which clearly would have provided some moneys for those people while they were waiting for him to implement the Thomson report, which he has already told us he is not going to implement piecemeal. In fact, he is going to be waiting for six months in order to implement it. He is going backwards; he is not going forwards, and he cannot deny it.

1420

Hon. Mr. Sweeney: The reason for not implementing the particular decision of the Social Assistance Review Board was that the amount of money that was recommended was significantly higher than what all other disabled people in the province are getting. The member talks about, and the report itself clearly says, that we should proceed forward on the basis of equity. That is exactly what we are doing—proceeding on the basis of equity.

WASTE MANAGEMENT

Mr. Brandt: My question is to the Minister of Municipal Affairs in the absence of the Premier (Mr. Peterson). It relates to the process of developing landfill sites in this province, which is a problem that has been identified by many municipalities as being the most serious and most critical problem they have to face at the present time and certainly in the years ahead.

The minister will recognize that it is a very complicated, costly and time-consuming process. The minister is well aware the region of Halton, as an example, has taken some 14 years and still does not have a landfill site available.

Will the minister indicate to this House what input his ministry has, once he has heard from the former Minister of Municipal Affairs on this question, as to the type of time lines that we can predict are in place now, relative to Halton, York, Peel, Metropolitan Toronto, Welland and a number of other communities that are going to need landfill sites? What input has his ministry had with the Ministry of the Environment, pointing out the critical nature of this problem?

Hon. Mr. Eakins: We work very closely with the Minister of the Environment (Mr. Bradley) and we have discussions from time to time. I might say that we are meeting on a regular basis with the regional municipalities and the regional chairmen. I have regular meetings with them, and these are topics that are under discussion constantly.

Mr. Brandt: I would like to know what the outcome of some of those meetings is, because

this morning we received an update from the Ministry of the Environment with respect to all municipal waste management plans in the province to get some kind of an indication of the status of those various plans.

One of the things they indicated to us is that the first step for an environmental assessment to put the waste management plan into place takes an average of some three years. I would like to point out to the minister that both York and Durham have not even started that process yet, and that is before they actually get into the environmental assessment in any kind of meaningful way.

Recognizing that those sites are going to be completely exhausted in terms of their existing capacity long before the environmental assessment process is completed, as the minister responsible for municipal affairs in this province, what alternative is he going to offer those municipalities when their landfill sites are completely exhausted and they have no further capacity?

Hon. Mr. Eakins: I think it is important that we not only look within the Metro boundaries; we must look beyond. One of the areas that we have been looking at lately has been that area beyond the Metro boundaries. Regarding the counties, we have had discussions with regard to the county responsibilities. As we know, many of the municipalities today are much too small and do not have the expertise to deal with the landfill problems. Therefore, we are encouraging discussion on a county basis. This is helping a great deal there, and we are going to be able to do something about that, I hope, very soon.

Mr. Brandt: Shortly, the Minister of the Environment is going to announce the one millionth blue box in this province, which is part of the recycling plan. When I raised this question with both the Premier—

[Applause]

Mr. Brandt: I am glad you applauded, because that represents less than 10 per cent of the waste in this province. This ministry and the Ministry of the Environment have a responsibility to look after the other 90 per cent, in co-operation with the municipalities right across this province. The municipality of Mississauga in the region of Peel just recently indicated its frustration with the process, when it had actually found a site only to be told by the Minister of the Environment that it would have to start at the beginning and go through the entire process again.

In recognition of another hyped-up blue box job and recognizing that this millionth box is

going to represent less than 10 per cent of the garbage in this province, what does his ministry intend to do with respect to helping the municipalities look after the pending crisis? It is predictable that these sites are going to be exhausted. There is no capacity left. They have no place to put their garbage.

Mr. Speaker: Order.

Mr. Brandt: What is the minister going to do about that other 90 per cent?

Mr. Speaker: The question has been asked.

Hon. Mr. Eakins: I think it is important that the municipalities also agree among themselves. I have taken the lead to meet with many of the municipal people. I have regular meetings with the Association of Municipalities of Ontario. I have regular meetings with the regional chairmen. These items are on the agenda and we discuss them. I will also be working very closely with the Ministry of the Environment on behalf of the municipalities.

Mr. Harris: After three and a half years of discussions, you are no further ahead than when you started in 1985.

METROPOLITAN TORONTO HOUSING AUTHORITY

Mr. Harris: I have a question for the Minister of Housing. Given the wide variety of problems, which have been well-documented and about which we have heard time and again from the Metropolitan Toronto Housing Authority and particularly from the tenants themselves, who have repeatedly spoken about the problems of drug abuse and drug dealers in the Metro Toronto Housing Authority complexes, problems about security, tenure, maintenance—the list goes on and on—will the minister today justify to the House her decision to downgrade the job of chairman of the Metro Toronto Housing Authority from a full-time to a part-time position?

Hon. Ms. Hošek: The new chair of Metro Toronto Housing Authority will have a full-time presence at the housing authority and will be working at the authority to combat a lot of the issues the honourable member has mentioned. One of the very important ones to which she has made a very significant commitment is to work with the tenants and with the police on dealing with issues of drugs in our housing.

I think we have made a significant step in the right direction and I must say that one of the very encouraging things here is that the tenant community is most actively involved in making sure its buildings are drug-free. They are

working with us, with the police and the Metro Toronto Housing Authority board to make sure they have good places to live, where their children can be safe and where these kinds of things do not go on.

Mr. Harris: The tenants themselves met over this past weekend and made it very clear that they do not believe anything less than a full-time chairman would be adequate to deal with the complexities of the problems. I assume the minister agrees because today she says “full-time presence.” Miss Augustine is quoted as saying she intends to retain her position with the Etobicoke school board. She says that if the minister is looking for a full-time chairman, she is looking at the wrong person and she had better start looking elsewhere.

With this full-time presence—and the minister appears now to acknowledge that it is going to require that—will the minister, at the very least, ask Miss Augustine to resign her position with the school board in order to be able to devote her attention full-time, whether it is a full-time position, full-time presence, however the minister wants to define it, with the Metro Toronto Housing Authority?

Hon. Ms. Hošek: The chair of the housing authority who will be coming in in November has made an arrangement with her school board to give her as much time as she needs to devote to the housing authority. There are 2,000 people who work for the housing authority full-time. There are many people and much resources devoted to making sure that the needs of the tenants in the Metro Toronto Housing Authority are met.

Let me point out to the member that when the decision about Miss Augustine as the next chair of the Metro Toronto Housing Authority was announced, the then Housing critic of his party was quoted as saying that he was quite disappointed with the decision because he thought the most appropriate person to be doing the work was a business person. I assume that he therefore thought that the business person would be taking a little bit of his or her time on top of everything else they were doing to devote to the housing authority.

The chair of the housing authority who is coming in on November 24 is an extraordinary person. Her commitment to making sure that the work that needs to be done on behalf of the tenants of Ontario in the housing authority will be excellent. I am sure that, together with a very active board and with a very strong staff, the

needs of our tenants will be addressed very seriously.

1430

Mr. Harris: I am glad the minister mentioned that there are 2,000 employees, because we have seen what happens in a ministry with a substantial number of employees when there is no direction at the top. Things run amok, as in her ministry and some of the others we have there. Two thousand employees, and the minister is saying that all 2,000 employees require is a part-time chairman.

Let's go back. The minister acknowledges that a full-time presence is required. She acknowledges that the tenants want that. She agrees with them. Surely she agrees with the statement Miss Augustine made: "If you're looking for full-time, you better look somewhere else. That's not going to be me."

If the minister is that committed, will she stand in the House and indicate that she is prepared to support the private member's bill which I am introducing today? This bill will amend the Ontario Housing Corporation Act and will ensure that the needs of the Metro Toronto Housing Authority will be administered by a full-time chairman.

Hon. Ms. Hošek: The Metro Toronto Housing Authority, like the 57 other housing authorities in Ontario, is managed by a board that sets policy direction. The staff does the full-time work. Boards set the policy direction, under the direction of the Ontario Housing Corp. That is an arrangement that has worked very successfully and will continue to work successfully.

The new chair will have a full-time presence and the support of a great deal of staff. She will be a hands-on chairman. Anyone who knows her knows the kind of work she does, and the quality of her work in the community guarantees that her work will be excellent and very much in tune with the people who currently live in Metro Toronto Housing Authority.

But I should say that there are many things left to be done in Metro Toronto Housing Authority. Our tenants need a stronger voice in the decisions that are made and one of her high priorities will be to make sure that happens. We have done an enormous amount of work in a variety of areas in our housing authority, including extension of eligibility to people who need help with housing and higher priority of access to battered women to our housing. There are many things we have done that I am proud of. There is much more that is left to be done. I look forward to the active

work of the new chair when she comes on board at the end of November.

RENTAL HOUSING PROTECTION

Mr. Breaugh: I am almost afraid to do it. I have a question for the Minister of Housing.

Mr. Wildman: The full-time Minister of Housing?

Mr. Breaugh: I think she is full-time. I do not care. It concerns a building at 877 Millwood Road in East York. I would like her to explain to me how in eight short months, this could happen to one little sixplex. New owners bought the building. They gave the tenants illegal eviction notices. They received a \$30,000 interest-free loan from the provincial government for renovations. They served the remaining tenant with a notice of a 59 per cent increase in rent and they still have not turned the furnace on. How can all of that happen, all of those laws be broken, in eight months, when her ministry knows all about it? How can that happen?

Hon. Ms. Hošek: I am not familiar with that specific building. I can tell the member that one of the things the ministry does, through the municipality, is to offer low-rise rehabilitation loans for buildings to improve their quality. That is one of the things we do in the ministry, through the municipalities, in terms of renovating buildings that need help and that are low-rise, that are quite old and need to be improved.

Mr. Breaugh: Maybe the minister is part-time, because somebody signed a cheque for \$30,000. That is usually the minister. Her ministry staff met with the people who bought this building and informed them that there was such a thing as a Rental Housing Protection Act. They said they did not know the gun was loaded and she gave them another \$30,000 worth of bullets. How many laws do they have to break before her ministry does something about it?

Hon. Ms. Hošek: The Rental Housing Protection Act is there to protect units that need protection from renovation which is not done appropriately and from various forms of conversion. It is the role of that legislation to protect tenants, and we are working actively to make sure the protections are there.

FINANCIAL TRUST

Mr. Runciman: I have a question for the Minister of Financial Institutions. The minister will recall that in late 1987 the loan and trust corporations branch advised that a \$30-million injection into Financial Trust, an arm of Finan-

cial Trustco, would put the company on firm ground. Now, less than a year after receiving that clean bill of health from the minister's regulators, the company, apparently because of over-valued assets, requires \$84-million worth of loans and guarantees, \$10 million from the province. Could the minister tell the House why the regulatory system in this province apparently broke down in this instance?

Hon. Mr. Elston: The regulatory system in the province did not break down.

Mr. Runciman: That is the same kind of irresponsible remark we got from his predecessor last year when I raised the concern about Don Reid, the director of the loan and trust corporations branch, who left the ministry to work for another subsidiary of Financial Trustco. He had given Financial Trust a clean bill of health, then left to work for Financial Trustco. A few months later, the government is putting up a \$10-million loan guarantee to the company given a clean bill of health by the man now working for an affiliated company. This raises some very serious questions. The regulators failed, despite the minister's denial, and taxpayers deserve to know why and to know what role, if any, Mr. Reid played in the process.

Hon. Mr. Elston: Financial Trust, which was a subject matter of the transaction about which the honourable member speaks, is in fact, or was in fact until last weekend, part of the same corporate family, but it was not the part in which Mr. Reid was involved. I appreciate the questions that the honourable member raised, but with respect to this transaction, I do not know that Mr. Reid played any part in the negotiation of this transaction whatsoever.

VEHICLE TAX REFUNDS

Mr. Mahoney: My question is to the Minister of Revenue. I have here a copy of the Ontario Sales Tax Guide, section 118, entitled "Tax Refunds: Transportation of Physically Disabled Persons." There are two specific groups that are excluded from an opportunity to claim a refund on the purchase of a vehicle. Those groups are people with cystic fibrosis and the mentally handicapped.

Cystic fibrosis is a genetically inherited condition which progressively damages the lungs, resulting in a median lifespan of about 25 years. Individuals with CF are not initially physically limited in their mobility, but as the disease progresses, they become severely limited because of lack of strength caused by the disease.

My question to the minister is, will he consider modifying the Ontario sales tax, section 118, to allow people with cystic fibrosis and the mentally handicapped to receive a refund when they purchase a vehicle?

Hon. Mr. Grandmaitre: The sales tax rebate program was first introduced back in 1976 and is being reviewed every so often. For instance, last October the program was amended and improved. We are not discounting the seriousness of mental illnesses such as CF and other crippling diseases, but I was assured only a few short days ago by the Minister without Portfolio responsible for disabled persons (Mr. Mancini) that we will get together and ask the Minister of Community and Social Services (Mr. Sweeney) and the Minister of Health (Mrs. Caplan) to help us improve the program, and we hope we will be able to assist all other disabled people who are not presently included in the program.

1440

Mr. Mahoney: By way of supplementary, I have some constituents who have two very severely mentally handicapped children. These children are actually totally unable to find transportation on their own, and the parents of course have to go great distances for their education and health care. They are unable to obtain a tax credit. Frankly, it seems unfair that someone with a physical disability can obtain that benefit, but these parents who have to go to great trouble to get their children to various community activities are unable to obtain the same refund under this section of the act. Would the minister consider amending this section of the act, particularly the cystic fibrosis aspect, particularly with regard to people with mental handicaps.

Hon. Mr. Grandmaitre: Again, I have had a few requests from members of the opposition asking me to look at section 118 of the program. In some cases, we have had a few exceptions. We will continue to revise, amend and improve the program. I can assure the member for Mississauga West that an answer will be given to him very shortly.

WINE INDUSTRY

Mr. Wildman: I have a question to the Minister of Agriculture and Food. In view of the dissatisfaction among the grape growers in the Niagara Peninsula with the current federal-provincial adjustment program and the fact that it is only about half of what was considered necessary by the grape growers, and in view of the demonstration today in Welland, is the

minister prepared to review this adjustment package, to increase it more in line with the \$250 million in losses that are expected when we see about half of our grape growers wiped out because of the Mulroney trade deal?

Hon. Mr. Riddell: If the adjustment is being made to comply with a free trade agreement struck between the United States and Canada, then, we have always said to the grape growers, it is the federal government they must approach in order to get compensation. However, we are working on a longer-term program, as the honourable member knows, a \$100-million program shared with the federal government.

We are making our adjustment over a 12-year period to meet with the ruling that came down from the General Agreement on Tariffs and Trade panel. I think we have a good program to comply with the GATT ruling, but if it is a case of complying with the free trade agreement, then the grape growers should be pursuing their endeavours with the federal government.

Mr. Wildman: Surely, when one looks at what compensation was offered to the growers and industry in British Columbia, it is not adequate for the minister to stand in the House and say we are responding here to GATT and to say the \$100 million will do the job of protecting these grape growers when in fact we are going to see about half of them wiped out. The fact that the minister has extended the phase-in period for GATT from 7 to 12 years or whatever is just going to mean a slower death.

Why will the minister not respond to the grape growers who are demonstrating today in the Niagara Peninsula by saying that he is going to go to the federal government to develop a true federal-provincial program that will adequately support the adjustment that is going to be necessary in the Niagara district?

Hon. Mr. Riddell: The grape adjustment program committee had been working on a number of different proposals, but I have to tell the honourable member that the program in BC is entirely different from the program in Ontario. Here in Ontario we want to help the grape industry adjust so that we can continue to have a viable competitive industry for many years to come and have a large number of our grape producers still in business. In other words, there will be about 8,000 to 11,000 acres in Ontario go out of production. We have something like 24,000 acres in production. In BC, over two thirds of the acreage will be going out of production.

It seems to me the British Columbian government is quite content to work with the federal government in slowly annihilating the industry in British Columbia. Here, we are going to keep the industry as viable and competitive as possible, and we have a good program to do that.

ÉLECTION DE CONSEILLERS SCOLAIRES

M. Villeneuve: Ma question s'adresse au ministre délégué aux Affaires francophones. Jeudi dernier, le gouvernement libéral a décidé de faire appel de la décision du juge Sirois. Selon celui-ci, la Loi 125 a violé les droits des Franco-Ontariens en ce qui concerne l'élection de conseillers scolaires. Le Ministre est-il d'accord que le gouvernement libéral fasse appel du jugement du juge Sirois?

L'hon. M. Grandmaître: Je crois que la question est bonne. Mon collègue le député de Stormont, Dundas et Glengarry, qui connaît depuis toujours ma sincérité envers la communauté francophone, sait que j'ai l'intention de suivre cet appel de très près. Par contre, je dois assurer mon collègue que ce n'est pas seulement lorsqu'une cause est devant la Cour qu'on se déclare francophone, c'est 365 jours par année qu'on doit le faire. Ma responsabilité envers la communauté francophone, c'est de la protéger et de m'assurer que les francophones sont très bien servis à tous les niveaux provinciaux.

J'ai l'intention de suivre la cause de très près. Je suis sûr qu'on aura une décision qui pourra satisfaire la communauté francophone et satisfaire aussi le gouvernement de l'Ontario.

M. Villeneuve: Le Ministre ne nous a pas encore indiqué s'il est d'accord avec la décision de son gouvernement de faire appel de la décision du juge Sirois. En tant que ministre délégué aux Affaires francophones et ministre du Revenu, n'a-t-il pas tenté de renverser le projet de loi 125 au moment du débat, car nous avons bel et bien dit à maintes reprises que cette situation-ci se produirait. Qu'est-ce que le Ministre va faire, maintenant que le gouvernement fait appel de la décision et que plusieurs de nos francophones ont perdu leur droit de voter le 14 novembre?

L'hon. M. Grandmaître: Je crois que mon collègue le député de Stormont, Dundas et Glengarry présume des choses en disant que plusieurs francophones ne seront pas admis aux prochaines élections municipales ou scolaires; je crois que mon collègue présume des choses qui ne sont pas tout à fait vraies.

Maintenant, en ce qui concerne la Loi 125, celle-ci appartient au ministère de l'Éducation, et je suis sûr que mon collègue le ministre de

l'Éducation (M. Ward) pourra décrire très précisément la Loi 125 pour que l'opposition la comprenne. Même aux gens qui lui soufflent des questions possibles à l'oreille, je pourrais leur répondre en face, en tout temps, que la Loi 125 est présentement devant la Cour, et je ne suis pas en position de révéler d'autres discussions concernant la Loi 125.

WOODLOTS

Mr. Tatham: My question is for the Minister of Natural Resources. Most people have a great affection for trees and they agree with the thought expressed by Joyce Kilmer in the poem called Trees.

Mr. Brandt: I love a tree.

Mr. Tatham: That is right.

What information does the minister have on the effects of this year's devastating drought on woodlots in southern Ontario?

Hon. Mr. Kerrio: We have lots of pressures on the forests in Ontario, not only in the woodlots, as the member has described as an interest to him, but also when we look at the devastating effect of the drought on the forest fire. We have spent some \$70 million this year fighting fires, and we are looking at a considerable number of trees that have been lost in that regard. We harvest some 70 million trees.

I believe the drought has caused an impact on some 15 million or 20 million trees in the woodlots that the member has just described and, of course, that is a very serious problem. We have taken into account that kind of loss. We are hoping the ones that have been weakened—and that happens throughout their lifetime in a long period of drought—that we do not lose too many more through the winter. That would depend on the kind of weather we get until spring.

It has been quite devastating in the woodlots of Ontario, and certainly we are going to respond to the kind of question the member and the woodlot owners raise.

1450

Mr. Tatham: What assistance is available to help farmers and woodlot owners? What can the minister do for them?

Hon. Mr. Kerrio: In the whole process, and I am sure many of our colleagues here in the Legislature would be anxious to have some knowledge of the fact, the ministry provides a great deal of help to those people out there who are anxious to have trees grow in one form or another and wherever, and we do have a branch of the ministry, our foresters, that will give three

or four days' time to the people who are affected to do an analysis and give advice as to how they might improve their woodlots and improve the possibility of those trees not suffering in the future.

We are going to do a more in-depth study now, after the first phase. We would be reporting back at some later date.

Mr. Wildman: As lovely as a tree, Vince.

Hon. Mr. Kerrio: That is a good one. I will take that comment into account as well.

ENVIRONMENTAL ASSESSMENT

Mr. Pouliot: In view of the absence of the Minister of the Environment (Mr. Bradley), I have a question for the Minister of Energy. The minister will recall that about a year ago, Ontario Hydro released an environmental study concerning the potential development of the Little Jackfish hydroelectric project in northwestern Ontario, a few miles north of Nipigon, which is the largest body of fresh water in the province beyond the Great Lakes.

Following a question in the House, I received a letter from his colleague the Minister of the Environment. It states, "Because my ministry is concerned with any project that could create conditions leading to environmental degradation, the Hydro project request has been put on hold."

How does the minister reconcile the acquiescence that the environment indeed can be jeopardized, and it says the project has been put on hold, and yet I have in my hand an information bulletin which is a press release from Ontario Hydro dated September 29, 1988, releasing a second impact study? Do I believe the minister when he tells me the project has been put on hold, because the environment is in jeopardy, or Ontario Hydro going full blast with another environmental study?

Hon. Mr. Wong: Any project, whether it is this one or any other project in the province, is subject to environmental assessment, so I would make it clear to the honourable member that that process would have to be adhered to before a final decision was made.

Mr. Pouliot: We now have the guarantee one more time that before the project is allowed to take place in a physical sense, they will have to satisfy some very stringent environmental requirements. I am very happy that it has been acquiesced.

Therefore, if I ask the minister to give us a guarantee that before the project is allowed to go ahead public hearings will be held, will he not

agree with me that this is the normal and logical route to follow in the development of this hydroelectric project?

Hon. Mr. Wong: I will assure the honourable member that I will consult with my colleague the Minister of the Environment to ascertain exactly what stage we are at, but as I said before, the principle and the conviction and the process that we go through is to make sure the environmental assessment standards are adhered to.

DAVID ATKINSON

Mr. Sterling: I have a question of the Attorney General. Recently, a highly dangerous criminal known as David Atkinson, who was diagnosed as a schizophrenic with violent sociopathic tendencies, was given the liberty of police protection and immunity in exchange for informing on a brutal street gang known as the Dirty Tricks Gang. Among the known atrocities committed by this individual—who says he hurts people for a living, has spent two thirds of his adult life in prison and is also known as a serious cocaine addict, extortionist and underworld enforcer—are the brutal beatings of his pregnant sister and his two wives and the vicious stabbing of his own father.

Can the Attorney General inform the House who is responsible and accountable for the release of this individual?

Hon. Mr. Scott: I think it is worth observing, first of all, that in this day and age, when gangs commit crime it is very difficult to convict members of those gangs without the evidence of an accomplice or a person in the gang who comes forward to give evidence.

The honourable member will be interested to know that what is known as the Dirty Tricks Gang, which is headed by a cousin of the witness, one Howard Richard Atkinson, is probably the most sophisticated and violent armed robbery gang ever to exist in the history of Ontario and perhaps in Canada.

As a result of the evidence that David Atkinson and one other witness who identified some of the persons gave, the honourable member will be glad to know that all members of the gang were convicted and jailed. The leader of this gang, Howard Richard Atkinson, who had led the gang in committing some 17 armed robberies, producing, after violence, more than \$2 million, was jailed for 25 years as a result of this evidence.

Mr. Sterling: The Attorney General knows that the cases were founded basically on the evidence of Arnold Carrington Burke, another

informant, and not on the information provided by David Atkinson.

Now that the Attorney General has accepted responsibility for the release of this individual, how is he going to protect the public from this individual now and in the future? What procedures and provisions is he going to make in the future to prevent this from happening again? What procedures is he going to set up for the public to have input before a witness who is this dangerous to the public is released by his ministry's officials again?

Hon. Mr. Scott: As the honourable member will know, the practice in this jurisdiction, like the practice in all North American and most European jurisdictions, to utilize the evidence of an accomplice or gang member against the gang is well established. It has been part of the common law. Recently, in the Palmer case, the Supreme Court of Canada unanimously said it was not only appropriate to provide protection for such people even if they were criminals but it was not inappropriate to withdraw charges against them if that was necessary in an appropriate case to ensure that the evidence in the main case was available and convictions were obtained.

We have done all that and we have followed the rules that the Supreme Court of Canada has laid down for doing that. As the honourable member knows, there has been a witness protection program in Ontario for some time. It requires an agreement to be made, which was made in this case, between the witness and his counsel and representatives of the ministry.

When the witness was relocated, the police in the community to which he was relocated were told that he was under the witness protection program and had access to his criminal record.

HOME CARE

Mr. Allen: To the Minister of Community and Social Services, all this year, Hamilton homemakers, in company with their colleagues across the province, have been pouring out their hearts to him and the Premier (Mr. Peterson) with respect to the desperate situation in which the minister's funding has placed not only them but their agencies and clients.

Let me read, for example, from Alice Lloyd, who says she has worked as a homemaker for 10 years and sacrificed time to take courses. Over that time she has had only 60 cents of increase in total. Her time has been cut down to 10 hours and now she earns less.

Then there is June Bielec, who works every day, full time, at homemaking, but her rent, phone, hydro and Ontario health insurance plan payments, because she does not get benefits, go far in excess of half the income she gets.

Ann Joyce says that after over 20 years of service and 10 years of taking courses, she now has come to the end of the road. She is going to have to look for other employment, like many others.

How can the minister stand there with the Thomson report in one hand and go on adding to the numbers of the working poor in this province with his funding policies for the homemakers of Hamilton and across this province?

1500

Hon. Mr. Sweeney: There is no doubt in anyone's mind that homemakers' wages in this province are not adequate. The member will be well aware of the fact that we have conducted a review and recognized as recommendations: (1) an increase in homemaker wages, (2) an increase in rates to the agencies and (3) better training. The basic premise of that review is certainly supportable and acceptable.

The member will also be aware of the fact that we introduced a brand-new homemaker program in the province that had not been here before, the integrated homemaker program, which constitutes about 20 per cent of the homemakers used in the province. The member will be aware of the fact that about 75 per cent of the homemakers are used through the Ministry of Health home care program.

Both of the ministries are aware of the fragility of that particular program and certainly want to do something about it. The current difficulty is, quite frankly, the lack of resources. As soon as they are available, we will do something about it. Right now, we just do not have it.

Mr. Allen: The minister always comes back to me with a story that he cannot persuade the Treasurer (Mr. R. F. Nixon) to do the good things the government says it wanted to do.

Might I suggest that the minister's funding for homemaking is not just impoverishing individuals, it is impoverishing the agencies? Three years ago, when the ministry first set up a committee to look into this issue, it had to bail out the homemakers' agencies because they had been attempting, despite poor funding, to deal with the issue on their own ground. Now, three years later, exactly the same thing is happening. The Red Cross is \$1 million in deficit, the Toronto homemaking services are \$400,000 in deficit and

those outside Metro are a further \$600,000 in deficit.

When are the Treasurer and the government going to finally tackle seriously this ongoing, long-standing problem of underfunding of homemakers' services which is impoverishing individuals and impoverishing the services of the agencies themselves?

Hon. Mr. Sweeney: I do not think that in my answer I said anything about the Treasurer refusing to be supportive. As a matter of fact, in the current fiscal year the Treasurer has added \$40 million just to my small part of the program; as I indicated, by far the larger part is in the Ministry of Health. There is no question of the fact that the Treasurer is supportive of homemaker needs.

The difficulty is, and we have discussed this before, that the takeup in the demand is much greater than we have resources to meet. What we are trying to find now is a more effective and efficient way to meet that demand within the realm of the fiscal resources available to us.

CHILD CARE

Mrs. Cunningham: My question is to the Minister of Community and Social Services. I have received a number of letters from parents in London and across the province who are all very concerned about affordability and accessibility of child care for school-aged children. The Day Nurseries Act is restrictive with respect to the number of children who can be cared for in a family child care environment. Specifically, Ontario regulation 760/83, section 56, stipulates that the number of children who can be cared for in a private home cannot exceed five.

School-aged children require different care and supervision than infants and pre-school children. This regulation does not address these different needs. Is the minister aware of this restrictive nature of the Day Nurseries Act, and if so, can he tell us what he is going to do about these restrictions?

Hon. Mr. Sweeney: The honourable member is completely correct when she identifies the fact that our current regulations do not permit a homemaker to have more than five children in her or his home, as the case may be, without having a licensed day care centre established in that particular housing unit. That is there purely for safety reasons. The sense is, and this has been supported by day care advocates all across the province for as long as I know, that without the resources, the physical resources and the staff

resources, one person cannot safely look after more than five children.

Having said that, the honourable member does bring a significant point to the debate, and that is that school-aged children who would come in just after school do not need the same kind of attention. I am quite prepared to take a look at that and see if we could increase it a little bit. The question is, how much?

Mrs. Cunningham: The minister, in his own New Directions for Child Care, promised a new child care act. He stated that this legislation would be developed through a public consultation process beginning with the release of a discussion paper in the 1988-89 fiscal year. Families across Ontario are anxiously awaiting some change in that particular section. He has alluded to the fact that he would be willing to listen.

I am wondering, with the child care crisis that we have across the province right now with some 700 children waiting in Ottawa, some 4,500 in Toronto, 666 in Thunder Bay and in Waterloo some 300 children on waiting lists, I think we should be looking at every chance we get to make our act more open where possible and where safety can take precedence. Can he tell us when he will be releasing this discussion paper and whether he will be doing something about that particular part of the act in the interim?

Hon. Mr. Sweeney: The honourable member came to the point when she indicated that the difficulty that we face is trying to strike an equitable balance between the safety and the needs of children who are in any kind of a care situation, on the one hand, and quite frankly, the need for more spaces on the other hand. We have to strike that balance. That is the sort of thing we are looking at right now, and specifically with respect to the particular issue that the member mentioned in her last question.

With respect to the legislation itself, I have to tell the honourable member that we have not proceeded very far with it. The prime reason is human resources. She knows that we have been under severe pressure and criticism for hiring extra staff to do these kinds of jobs. I only have so many staff people. With all the new initiatives we have already taken on, my staff simply cannot spend a lot of time in this new legislation. We will get at it as soon as we can.

COLLEGES OF APPLIED ARTS AND TECHNOLOGY

Mr. Callahan: All members have met with the Ontario Federation of Students recently.

Meeting with them, they raised the concern that although there were students submitted to the hierarchy of the community colleges, that they in fact had no vote. Is this being considered or under review? Will this be looked into in terms of a change?

Hon. Mrs. McLeod: Yes. There were very recently changes made to regulation 640 that did expand the representation on college boards of governors to include student, faculty and staff representatives. That is a fairly recent initiative. The intent was to review the issue of voting rights after a period of one to two years of participation. That review is now under way.

DEPUTY CHAIRMAN

Mr. Speaker: I wish to inform the House that a vacancy has occurred in the office of Deputy Chairman of the committees of the whole House by reason of the resignation of the member for Elgin (Miss Roberts) from that position.

PETITIONS

RETAIL STORE HOURS

Mr. Miller: I have a petition addressed:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario.

"We, the undersigned, beg to petition the parliament of Ontario as follows:

"Whereas we strongly oppose the intention of Bill 113 for Sunday opening, we believe that the Ontario government must act to maintain Sunday as a common cause day."

It has been signed by 25 members and myself.

SCHOOL OPENING EXERCISES

Mr. J. M. Johnson: I have a petition from Crossroads Word Faith Centre, Teviotdale, which is in the Palmerston-Harriston area, county of Wellington. The petition is signed by 37 concerned citizens and it is addressed:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario.

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We believe the Lord's Prayer in our schools is essential and request that it be restored immediately."

I have signed that.

1510

MINIMUM WAGE

Mr. Morin-Strom: I have a petition that has been signed by 50 residents of the city of London, Ontario. It reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario and in particular the Minister of Labour.

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"1. That the minimum wage cover all workers in Ontario without exception and

"2. The minimum wage in Ontario be adjusted with inflation to ensure that all working people can support their families with a standard of living that is above the poverty line."

I have signed this petition. I support it and I hope the government acts upon it.

SCHOOL OPENING EXERCISES

Mr. Tatham: I have a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario which reads as follows:

"The undersigned persons are totally opposed to the idea of removing the Lord's Prayer (Matthew 6:9 to 13) from our public school classes. As our country was founded on Judaeo-Christian principles we do not want our rights to be taken away.

"This letter is in protest of removing the Lord's Prayer from the classroom, also scripture readings."

This is signed by 172 people from Oxford, and I hereby affix my name.

RETAIL STORE HOURS

Mr. Mackenzie: I have a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We are opposed to open Sunday shopping and want to retain a common pause day in Ontario."

The petition is signed by 34 members. I have affixed my signature to it.

Mr. Epp: I have a petition addressed to the Lieutenant Governor and the Legislative Assembly of Ontario. It reads:

"We, the undersigned, beg to petition the parliament of Ontario as follows:

"Whereas we strongly oppose the intention of Bill 113 for Sunday opening, we believe that the Ontario government must act to maintain Sunday as a common pause day."

It is from the great riding of Perth and it is signed by 13 of its constituents.

Mr. Mackenzie: I have another petition to the Honourable Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We urge Premier Peterson not to proceed according to the legislation he has announced, but instead strengthen protection for all workers who do not want to work on Sundays; to not pass the buck to local governments on this issue, and to maintain a common pause day for working people and working families in Ontario."

This is signed by some 90-odd people, and I attach my signature to it.

MOTION

DEPUTY CHAIRMAN

Hon. Mr. Conway moved that the member for Windsor-Walkerville (Mr. M. C. Ray) be appointed Deputy Chairman of the committees of the whole House for the remainder of this session.

Mr. D. S. Cooke: It is with regret that I rise to speak on this motion. I think any members of the Legislature who have followed this issue closely in the past couple of weeks regret the resignation of the member for Elgin (Miss Roberts). But more important than that, I am absolutely infuriated by the process that the government has used to make this appointment, treating this position exactly like that of the rotation of the parliamentary assistants' jobs.

This position is not a job that belongs to the Liberal caucus in this House; this job is that of an officer of the assembly, of all the members from all three political parties. We have not been consulted at all. I found out indirectly through the government House leader in a casual conversation about a week and a half ago. I informed the House leader for the third party; he had not heard about it. There was no consultation with either the House leaders, the whips or the leaders.

As late as this morning I asked the government House leader's office to tell us when this motion was going to be debated. The government House leader did not even have the courtesy to return a phone call. I got notice, as did the House leader for the third party, about six minutes ago that this motion was going to be debated here this afternoon.

In the light of that, I move the adjournment of the debate.

1632

Mr. Speaker: I would remind all members that according to standing order 120(d), on a motion to adjourn the debate I will ask the members opposed and in agreement to rise and remain standing until the number is taken, all at

the same time. When I say, "All those in favour will please rise," I will ask all those members to rise, and the number only will be counted and recorded.

The House divided on Mr. D. S. Cooke's motion, which was agreed to on the following vote:

Ayes 62; nays 0.

Mr. Speaker: I declare the motion lost.

I will now place Mr. Conway's motion.

An hon. member: No, the debate is adjourned. The motion carried.

Mr. Speaker: Sorry, I guess I really had my mind on something else.

I would like to read to the members standing order 38(a), "Subject to clause (c) of standing order 32, a motion to adjourn the House or the debate may not be moved until after the orders of the day or notices of motion have been entered upon except by unanimous consent of the House."

I must say that I have read the standing order more closely than I had read it previously. I was fully aware that it was there for adjourning the House and must admit that I erred. I hope this will not be taken as a precedent.

INTRODUCTION OF BILL

ONTARIO HOUSING CORPORATION AMENDMENT ACT

Mr. Harris moved first reading of Bill 182, An Act to amend the Ontario Housing Corporation Act.

Motion agreed to.

Mr. Harris: This bill is a very simple bill that I believe meets the intent of what most objective observers of the Metro Toronto Housing Authority have proposed, certainly the tenants, with the controversy that has been going on; and indeed, I was delighted today when the Minister of Housing (Ms. Hošek) indicated that she too wanted a chairman with full-time involvement in the Metro housing authority.

The bill simply proposes an amendment that the position of the chairman shall be a full-time position, and I thank all members for their support on first reading and hope it will continue.

ORDERS OF THE DAY

ESTIMATES

Hon. Mr. Conway moved resolution 16:

That, notwithstanding any previous order of the House, the estimates of the Ministry of Revenue shall be considered first in the commit-

tee of supply and in the standing committees the estimates shall be considered for the times allocated by the order of the House of Wednesday, June 15, 1988, and in the following sequence:

In the standing committee on administration of justice: the Ministry of Correctional Services; the Office responsible for Native Affairs; the Ministry of the Attorney General; the Ministry of Consumer and Commercial Relations; the Ministry of the Solicitor General; the Ministry of Citizenship; the Ministry of Culture and Communications, and the Ministry of Financial Institutions.

In the standing committee on general government: the Office for Disabled Persons; the Ministry of the Environment; the Ministry of Tourism and Recreation; the Ministry of Municipal Affairs, and the Ministry of Labour.

In the standing committee on resources development: the Ministry of Natural Resources; the Ministry of Transportation; the Ministry of Industry, Trade and Technology; the Ministry of Northern Development; the Ministry of Energy; the Ministry of Agriculture and Food, and the Ministry of Mines.

In the standing committee on social development: the Ministry of Colleges and Universities; the Office responsible for Senior Citizens' Affairs; the Ministry of Skills Development; the Office responsible for Women's Issues; the Ministry of Education, and the Ministry of Community and Social Services.

Mr. Harris: I do not intend to be very long here, nor do I intend to move the adjournment of the debate after I have finished, now that I know that it would be in order at this particular time, but I did not want this motion to go through without making a few brief comments.

As you are aware, Mr. Speaker, we originally negotiated the estimates schedule for this parliament some six months ago, shortly after the Treasurer (Mr. R. F. Nixon) tabled his budget, as was the historical practice. Normally, what happens after a budget is tabled is that all parties sit down and organize a logical schedule and timetable for reviewing the very substantive budgetary items, and in the case of this particular government, the double-the-rate-of-inflation increases that were being asked by the ministries and, indeed, supported and proposed by the Treasury.

Members will also recall the last budget proposed tax increases of about \$1.2 billion over and above the already very substantial increases, again substantially in excess of inflation, that

were coming into the government as a result of the very buoyant economy Brian Mulroney has generated for this country and particularly this province.

1640

I want to go off that particular topic so I can hang on to everybody here and say we are very disappointed that it has taken until October 24 before a motion comes forward from the government to even begin dealing with the estimates.

Mr. Speaker, you will be interested to note that we began negotiating the schedule this spring. At that time, as we entered those negotiations, the House had dealt with less than 10 per cent of the 1987-88 estimates. So what we were dealing with here was not, "Well, we really examined them intensively, all those ministries, last year, and perhaps we can forgo a detailed examination for a month or two and get on with other things and pick it up in the fall." We dealt with less than 10 per cent last year, and I and my party, my leader, my critics, expressed their great displeasure at allowing the House to prorogue and to carry last year's budget with less than 10 per cent of those estimates done.

Despite that track record, we entered into negotiations for this year in good faith and now, again because of the government's failure to follow through with the originally negotiated schedule, we are being asked to reshuffle the schedule to help the government out of its mess, and the motion before us now is a reshuffling of the estimates to try to—

Mr. Haggerty: We have lost an hour today.

Mr. Harris: If you want to talk about why we lost an hour today, I do not mind talking about that at great length, as well.

Normally, when a budget is brought in in the spring, the government historically has intended to adjourn at Christmas with a final vote on the budget, at Christmas. That means normally the 450-odd hours of estimates are finished by Christmas. In fact, we have indications that the government, through its House leader, thought that would make sense again this year. It is obviously no longer even remotely possible. To date, we have not done one single hour of estimates.

I really cannot think of any more important function as to why we were elected. We were elected, as members of all parties—really, estimates ought not to be a partisan issue—to examine in detail what that minister of that particular set of estimates has proposed his budget be and what has been accepted by the Treasurer and put

forward by the government. We have not done one hour.

I feel sorry, quite frankly, for the new members of this House of all parties. There are not quite as many of my party to feel sorry for, but there is one. I suppose I am speaking now more particularly of government members who have not had an opportunity to find out and delve into the estimates of the various ministries and take a good look at: How is the money being spent? What programs are there? Why did this program come in? Is it meeting its objectives? Is the money being wasted? Could it be better spent in other ways? I really do feel sorry, and I hope those members, particularly the new ones, will appreciate that we are fighting on their behalf.

Thirty-eight billion dollars of the taxpayers' money and to date not one minute, about two months before the government would expect to adjourn, has been reviewed by this House. I find it interesting that we are now being asked to re-examine the schedule and shuffle it around. I ask members to take a look at the schedule in the motion that is before them. I ask: Where is Housing? It is not on there. The schedule for committee of supply has not been brought forward with this motion. What is recognized as one of the biggest messes created by this government is the rent review system and the Ministry of Housing, yet a review of the Ministry of Housing does not appear on this list.

The Ministry of Health receives over one third of the budget. Maybe all the government members think the health system is working just fine. Where is the Ministry of Health? Where is the Ministry of Treasury and Economics? Certainly the Treasurer and the Minister of Health (Mrs. Caplan) have been running around the province demanding that the hospitals and doctors of this province tighten their belts and eliminate their deficits, yet the government has hidden the Ministry of Health from this particular list before us today.

We are concerned about the estimates. We are going to agree to pass this motion because we want to get on with the review of this Liberal government's tax-and-spend policy and this motion will at least let us get started into the standing committees. But I remind members that I do not see anything yet for the committee of supply. Therefore, we do not see Housing, Treasury or Health among the other items that should be listed on this list.

I do not apologize, but by way of explaining why I wanted to take five minutes or so to comment on this particular motion, I hope that all

members can appreciate and understand where we, as an opposition party, have been coming from in our discussions. I hesitate to say something. Maybe there was a House leaders' meeting I attended where I did not raise the issue. I cannot think of one, though, week after week. It has not been because this party, nor indeed the New Democratic Party, has not brought this issue forward before the House.

Mr. D. S. Cooke: Very briefly, I would refer to the Liberal backbenchers in particular to the proposed rule changes that have been discussed. One of the items those proposed rule changes dealt with is an adequate, sensible and modern way of dealing with estimates in this assembly. I should not say I totally agree with the House leader for the third party, but I partially agree with what the Tory House leader has said today. I think there is a better way. The proposed rule changes pointed to that better way. I think this assembly has been negligent in that it has not dealt adequately with estimates over the last couple of years.

While this motion does not address the committee of supply in dealing with some estimates, I should point out to Liberal backbenchers again that one of the reasons that is not part of the motion today is because we cannot get the government to agree that certain estimates, like Health and Housing, are important enough to be dealt with in the House. I do not know how the Liberal backbenchers feel when they go back to their home ridings and hear from people who are experiencing very serious problems with the health care system or who cannot get adequate housing.

It seems to me those are two sets of estimates that should be dealt with very quickly and should be dealt with here in the House where there is television, where there is a large involvement by large numbers of members of the assembly, but at this point we have not been able to get that commitment from the government House leader, so this is as far as we have gone.

Again, I encourage members of the assembly, in particular Liberal backbenchers, to review those proposed rule changes so that we can, with their approval—if they can put enough pressure on the government House leader—bring in a new way of dealing with these estimates so that we do not run into this problem year after year, where the estimates and spending are not properly reviewed and really the opposition parties have no power to force the government to deal with estimates. When the bottom line is experienced, we cannot force the government to deal with

estimates, but the proposed rule changes, which the government has blocked, would see that they would be dealt with properly and in a rational way.

1650

Hon. Mr. Conway: I have just a couple of comments. It is certainly hard for me to disagree that estimates are important. I could not agree more. I probably have played as active a role in the estimates debate as perhaps anyone around here on both sides of the aisle. I would concur entirely with those who have argued that the estimates responsibility is an important one. I have taken the view consistently that it ought to be given the priority that it deserves.

I have had some experience over 13 years which suggests that priority is not always the first instinct of honourable members; that I can sometimes appreciate. We have tried. I have tried. I will continue to try to be as accommodating as I can. The member for Nipissing (Mr. Harris), in what can only be described as highly provocative language, has recounted the events of this budgetary cycle in a way that I will repeat can only be described as highly provocative.

This is a cycle that began with the Treasurer for the first time in the history of the Legislative Assembly not being allowed to present his budgetary address to the assembly. That is how we began on April 20. I just think it is useful to recall that we have seen some very unprecedented behaviour in the assembly over the last number of months. I can understand that, as well, because there are issues, there are concerns and there are tensions which on occasion animate honourable members to a level of frustration and anxiety that lead to some perhaps unfortunate decisions and conclusions.

I also want to observe that the member for Nipissing has noted that this list of estimates is incomplete. He is correct. The committee of supply is not included in this particular motion. That is for the very good reason that we have not concluded the discussions as to the order.

I want to say to the House that I try to facilitate, in the most friendly and agreeable fashion that I know of, the concerns of the two opposition parties, the travel plans of honourable members and the availability of ministers.

I have to tell the member for Nipissing what I believe he knows; that is, the list that is contained in this particular motion is a revised list. It has been revised specifically to accommodate many, though not all, of the requests of honourable members opposite. I can assure him that this constructive and conciliatory approach from the

government will continue as we work to the discharge of this very important aspect of our parliamentary responsibility.

I just want to say, as well, that the member for Nipissing quite rightly points to the enthusiasm of the third party to get on with the estimates. I have said earlier in this fall sitting that when we have provided the time to get on with estimates, we as a government have been surprised by the fact that the very people who have called upon the discussion of estimates have been then the very people to have frustrated our effort to accommodate.

I guess I simply say to my friends opposite that I am going to have to get perhaps clearer signals. If it is somehow an insult to adjust the schedule to accommodate many of their concerns, then obviously I will not make the adjustment.

Mr. Breagh: Now, now.

Hon. Mr. Conway: I sat here—and I am not threatening anybody because clearly this is what we want to do, we want to sit down around a table and work out a mutually satisfactory arrangement. It is when I do that as government House leader and then I am criticized for having done it that it becomes somewhat perplexing for me to understand, if not to respond to.

Furthermore, if I may repeat the point about calling the order of the day for estimates, because it is much wanted, only then to find that which was sought is denied by the very people who say they wish it; again, I am somewhat confused as to what kind of an accommodation I am to make. I just have to say I will give the honourable members every assurance that we will make every effort to accommodate the wishes of the opposition.

I personally cannot wait to get to estimates and I will do everything I possibly can to facilitate those estimates. I am even prepared to arrange a conference call to Canberra, Australia, this very instant to proceed with the estimates that we were going to have, by an earlier schedule, this very day.

Interjections.

Mr. Speaker: Order.

Hon. Mr. Conway has moved resolution 16. Is it the pleasure of the House that the motion carry?

Motion agreed to.

COMMITTEE MEMBERSHIP

Hon. Mr. Conway moved resolution 17:

That the membership of the standing committees be as follows:

Standing committee on administration of justice: Messrs. Callahan, Chiarelli, Cureatz, Hampton, Kanter, Mahoney, McGuinty, Offer, Philip, Polsinelli and Sterling;

Standing committee on finance and economic affairs: Messrs. Cleary, Cooke, D. R., Ferraro and Haggerty, Ms. Hart, Messrs. Kozyra, Mackenzie, McCague, Morin-Strom, Pelissero and Villeneuve;

Standing committee on general government: Ms. Bryden, Messrs. Callahan, Charlton, Cordiano, Elliot, Faubert and Fleet, Mrs. Marland, Messrs. McLean, Ruprecht and Sola;

Standing committee on government agencies: Messrs. Ballinger, Breagh and Jackson, Miss Martel, Messrs. McLean, Miller and Nixon, J. B., Miss Roberts, Messrs. Runciman, South and Velshi;

Standing committee on the Legislative Assembly: Messrs. Breagh, Campbell, Epp, Hampton, Johnson, J. M., Matrundola, McClelland, Morin and Sterling, Mrs. Stoner and Mrs. Sullivan;

Standing committee on the Ombudsman: Mr. Bossy, Ms. Bryden, Messrs. Carrothers and Henderson, Mrs. LeBourdais, Messrs. Lupusella, MacDonald, Mackenzie and McLean, Miss Nicholas and Mr. Pollock;

Standing committee on public accounts: Messrs. Adams and Ballinger, Ms. Collins, Mrs. Fawcett, Miss Martel, Miss Nicholas, Messrs. Nixon, J. B., Philip, Pope, Pouliot and Runciman;

Standing committee on regulations and private bills: Messrs. Furlong, Keyes, Lipsett, McCague, Pollock, Pouliot, Ruprecht, Smith, D. W., and Sola and Mrs. Stoner;

Standing committee on resources development: Messrs. Black, Brown, Dietsch, Laughren and Leone, Mrs. Marland, Messrs. McGuigan, Pouliot, Tatham, Wildman and Wiseman;

Standing committee on social development: Messrs. Allen, Beer, Cousens, Daigeler, Jackson, Johnston, R. F., Micalash and Neumann, Mrs. O'Neill, Mr. Owen and Ms. Poole.

Hon. Mr. Conway: I have an amendment, which I shall call the Riverdale amendment.

Hon. Mr. Conway moved that the motion setting out the membership of the standing committees be amended as follows:

In the standing committee on administration of justice, Mr. Farnan be substituted for Mr. Philip;

In the standing committee on the Ombudsman, Mr. Charlton for Ms. Bryden and Mr. Philip for Mr. Mackenzie;

In the standing committee on regulations and private bills, Mr. Reville for Mr. Pouliot; and

In the standing committee on resources development, Mrs. Grier for Mr. Pouliot.

Mr. Speaker: I take it we have a motion and we have an amendment. You have heard the amendment.

An hon. member: Is that what we speak to first?

Mr. Speaker: If you so wish.

Is it the pleasure of the House that the amendment carry?

Motion agreed to.

Mr. Speaker: Is it the pleasure of the House that the amended motion carry?

Motion, as amended, agreed to.

INTERIM SUPPLY (continued)

Resuming the adjourned debate on the motion for interim supply for the period commencing November 1, 1988, and ending December 31, 1988.

Mr. Speaker: The member for Cochrane South (Mr. Pope) adjourned the debate.

Mr. Harris: I am pleased to report to the House that the member for Cochrane South felt he got everything on the record that he wanted to get on and that he is prepared now to yield the floor.

Mr. Wildman: I have listened with some amusement to the exchange just now among the House leaders, and also, I must say I have the same feeling about the procedure that we went through previously. I would like at the outset to make some comments about those two things in relation to my experience in this House for 13 years and to try to put it in some perspective. I am not in the habit, as some other members are wont to do, of making speeches to government backbenchers—I see it is Monday, so he is not here—to explain what is going on around here, but I do think it is important, as someone with some experience, to just give some of my views on what has happened today.

1700

In order for this assembly to work, frankly, it does not really matter what the numbers are in the House, but there must be co-operation among the parties—

Mr. Reycraft: And your House leader.

Mr. Wildman: —and among House leaders, certainly. I am not party to the House leaders' meetings. I have attended only one or two, so I

am not going to comment on what happens in House leaders' meetings.

I think all of us will agree that in order for this place to get anything done, there has to be, behind the scenes, an acceptance that there are certain ways to do things. From time to time, the accepted custom breaks down and things do not work the way they are expected to, but most people outside of this assembly are not aware—or very few of them are aware anyway—that there is indeed a co-operative approach, or should be a co-operative approach, among the parties in order for an assembly to work.

Most of them think that we are obviously partisan members, that we are on opposite sides—the opposition and the government—that the parties all have different positions on various policies and that we do not have exchanges on how to get things done. But that is in fact what is supposed to happen and what must happen if we are to achieve anything in the assembly.

With regard to the motion related to the “vacancy” for the deputy chairman of committees, I want to say clearly, both to the member for Windsor-Walkerville (Mr. M. C. Ray) and the member for Elgin (Miss Roberts) that this is not a personal situation—and I hope both members understand that—that this is not something we have objected to on the basis of personality.

I will say, frankly, with regard to the member for Elgin that personality may have something to do with it. We quite like the member for Elgin. We did not necessarily agree with everything she might do when she was in the chair, but we did appreciate the way she administered her duties, the way she presided over the affairs in the House when it was her duty to do so. I guess, in that sense, personality is somewhat involved, but I think it has more to do with the fact that we are talking about an office of the assembly.

We are not talking about positions on committees, whether it be chairman or vice-chairman, although they are of course offices of the assembly, in a sense. We are certainly not talking about positions within caucus, whether it is the government caucus or one of the two opposition caucuses. The fact is that offices of the assembly, right from the Speaker on down, are offices that are chosen by the assembly, at least officially. They are offices whose occupants are to serve all members of the House.

It is not an easy position to be in, because we are all partisan politicians and whenever a member is appointed Speaker, Deputy Speaker or Deputy Chairman of the committees of the whole House, that person has to put aside, to an

extent, his or her partisan views and be able to listen carefully to what all members of the House say, on no matter what side, and try to deal fairly with their concerns.

That is not easy. Every person who occupies your position, Mr. Speaker, approaches it in a different way, and that of course is related to personality. Some are more successful than others. Quite frankly, we believe that in this House today we have three officials of the House who are serving the members to the best of their ability. For the most part, I think most, if not all, members of the House are quite satisfied.

That is why we object when we receive a motion. We heard rumours. We will all admit we heard rumours about what was going to take place, but in fact we did not receive the motion until just before it was introduced by the government House leader. I admit that I am not party to the House leaders' meetings. We were told in our caucus—I am not betraying anything—that this might in fact be happening. We also were told that objections had been raised.

The reason objections were raised is that these are positions that are not doled out by the Premier (Mr. Peterson) or by the government House leader just to give a little extra cash to some member of the government caucus, to be quite blunt about it. In fact, I think most backbenchers on whatever side of the House would agree that all of us could use a little extra cash. I think we could have another unanimous vote on that, particularly since the parsimonious member for Brant-Haldimand (Mr. R. F. Nixon) is not here.

I am afraid, as a member of the opposition, that I am not allowed to move money bills; this is not what I intended to talk about. But I call upon any member of the government caucus to suggest to a member of the cabinet—perhaps we might even find one of those lowly backbench members of the cabinet, those people without portfolio—to move a bill that—

An hon. member: But who has a limousine.

Mr. Wildman: Without portfolio but with limousine.

An hon. member: Yes.

Mr. Wildman: Okay, all right.

The Deputy Speaker: It is through the Speaker, of course, that you will address your comments.

Mr. Wildman: I would never try to go through you, Mr. Speaker.

I was saying that these are positions of the assembly. They serve all members of the

assembly. They are positions that must involve consultation among House leaders.

Now, the government whip has indicated that there was consultation at the House leaders' meeting. Frankly, we then have to determine what the word "consultation" is. Is consultation simply to inform or is consultation a discussion seeking views and agreement? If it is the second, that is not what took place as far as I am concerned and as far as our caucus is concerned.

We acceded at the beginning of this session to the appointment of the various officers of the House. We believe that the performance of those individuals since that time has done all of us credit and we do not believe there is a need for a change. Certainly, we resent the fact that such a change would be decided by the government and sort of put to the opposition with the attitude, "Accept it or reject it, but it is going to go ahead anyway."

I am again not betraying anything, but I have had a short private conversation with the member for Elgin and I think I know what her views are on this whole issue. In that sense, this particular matter goes beyond the individuals and the personalities involved. In a way, it might be argued that we are defending someone's position against her own advice; but, as members of the New Democratic Party, we have been known for many years of defending people who do not really want our defence. We have had to deal with that in the past.

At any rate, I think I have tried to explain why we feel the way we do. I think it would be unfortunate in any committee of the House, for that matter—I am deputy chairman of one of the committees and I think it would be very unfortunate if, suddenly, the majority on a committee informed the minority that the chairman or the deputy chairman was going to change without proper consultation among all the parties. In those cases, again, it would deal with activities of the House leaders. That is the point. We are going to consider this tomorrow at our caucus meeting and we will decide at that time how we are going to proceed on this matter which has now been adjourned.

1710

Mr. Haggerty: Is that going to be in Welland tomorrow?

Mr. Wildman: I would not mind having a caucus meeting in Welland. Is the member suggesting something?

Mr. Haggerty: That's what the radio indicated.

Mr. Wildman: The member for Erie has even more experience in this House than I, and I would think—

Mr. Haggerty: Niagara South.

Mr. Wildman: Niagara South? Oh, okay. He has even more experience than I, and I would think that in all that time he has learned not to believe everything he hears in the media.

At any rate, the other issue I wanted to deal with very briefly is the question of the estimates. I probably am among a very small minority when I say—

Mr. Villeneuve: Interim supply.

Mr. Wildman: No, no, I am talking about the estimates that were dealt with just prior to our going into interim supply.

I am going to say that I am probably in a minority in that I am one of those members who does believe that the estimates are a useful process. In a parliamentary democracy, surely the most important responsibility of ordinary members is to hold the government accountable for the expenditure of the public's funds, and the only way we can do that is through the budget debate and the vote on the budget and through the discussion and voting on the estimates of each of the government ministries.

Because of the busy time we had after the change of government in 1985 and then the change in the situation after the election of the majority, there has been almost no discussion of estimates in this House for three years. This is unprecedented. We keep voting supply to the government without ever approving what it is doing with the money. Then we just sort of understand—we move a motion that we understand that we have approved it.

Mr. Haggerty: You've got public accounts.

Mr. Wildman: Certainly the standing committee on public accounts is very important. Public accounts is a committee that I served on for a long time and it carries out a very important function, but as the member for Niagara South will know, public accounts deals with how the money was spent, in most cases. They look at it after the fact.

In reality, that is in fact what we are doing with estimates, if we ever get to them. We are looking at them after the fact. It is about time we started looking at estimates in a rational way, and that is why the rule changes are so important. The proposed rule changes put forward a more rational approach to estimates so that we can concentrate on a few estimates and deal with

those estimates before the money is actually spent.

This is what has been happening in Ottawa. They are rotating the estimates of the various departments in the federal government and they have a committee which is responsible for looking in detail at a few of those departments each year, so that over—I do not know what it is—maybe a five-year cycle—

Mr. Haggerty: They may get around to 10 of them.

Mr. Wildman: At least there are 10 of them that are under scrutiny. In the current situation at Queen's Park we have not looked at any of them, and that is just not acceptable. We are not carrying out our responsibility as legislators. We are not doing the job our electors sent us here to do.

Certainly the assembly is a debating society and the debate on the various bills and issues of the day is an important function that we are elected to carry out and that we do, but the other important function, going all the way back to the Magna Carta, is holding the crown accountable for the expenditure of funds; and we are not doing it.

I said I admit I may be in a minority when I raise this issue. Estimates can be deathly boring. It can be just terrible when you get some guy, some member who has some problem in the back forty somewhere in his riding, who is taking up a lot of time debating whether or not money should be spent on this particular problem. It may be boring for other members of the committee but I am sure it is not boring for the constituents of that individual member who have the problem.

Mr. Haggerty: You are against rural Ontario. That is what you are sounding like.

Mr. Wildman: I think the member said I am against rural Ontario. I want to point out that I am proud of the fact that I am one of the few, if not the only, rural member of our caucus. How can I be against it? I might resent the fact I am the only rural member but I am not—

Mr. Villeneuve: Right. Downtown Manotick.

Mr. Wildman: I am very proud to represent Algoma and I would like the opportunity in estimates debate to raise some of the concerns related to particular ministries' expenditures and programs on behalf of my constituents. That opportunity has been denied because we, frankly, have let the estimates procedure grind to a halt and it is not acceptable.

Because we have not been able to do that, on the question of supply I intend to raise a number of matters of particular importance to me and my constituents and I will do it now as a result of the fact that I have not had the opportunity to do it in another forum.

As you may know, Mr. Speaker, I represent a large northern Ontario constituency which is very dependent on resource development. Partly because of that, my caucus has given me two portfolio responsibilities. One is the Ministry of Natural Resources and the other is the Ministry of Agriculture and Food. I will be dealing with a number of issues related to those two ministries in the question of supply.

The Ministry of Natural Resources is a very important ministry in our part of the province; probably the most important because we are very dependent on the forest industry in northern Ontario. We face a very serious crisis in forestry in this province and in my area in particular.

Right now, we are being told by officials in the Ministry of Natural Resources that we are running short of timber. I know that may be very hard for many southern Ontario members or even some northern Ontario members to believe, but in fact we are running short of quality timber in many parts of the north.

This could be a devastating problem for people in the north but it is a problem for our whole economy because not only are jobs in northern Ontario dependent on forestry, just as many jobs in southern Ontario are directly or indirectly dependent on the forest industry, whether it is lumber, pulp and paper or the other related products.

The member for Niagara South (Mr. Haggerty) mentioned Welland. Welland is a good example of an area that, while it is close to the most southerly part of the province, is dependent on the northern Ontario forest industry to a great extent.

People will travel to northern Ontario and travel along the highways, the side roads and along the waterways in the north and see all of the trees and say, "How on earth can we be short of timber?" Very seldom do those tourists ever stop and walk the few hundred yards through what is called the forest reserve, along the roads or the waterways, to actually see what is behind it. That is a forest reserve which is maintained for aesthetic purposes so that tourism is assisted because tourism is a resource-dependent industry in our part of the province.

Even in those forest reserves, if one looks very carefully, one will see there is not very good

timber in many areas. In our province we are not dependent on poplar or birch for our industry. We need, mainly in northern Ontario, black spruce. In some parts of eastern Ontario and the more southerly parts of the north, we also have deciduous forest—maple and oak. We do not have much oak left. As a matter of fact, in my area there are veneer mills operating that are importing oak logs from Michigan because they cannot get them any more in our province.

1720

Recently, there was an announcement by G. W. Martin group, the largest lumber industry in this province. It has some 14 operations. It employs about 1,400 people in those 14 operations. This company is for sale. In our area, G. W. Martin owns two mills currently, one in Sault Ste. Marie—it used to be a Weyerhaeuser mill—and the other in a little town called Searchmont, which is less than 20 miles north of Sault Ste. Marie in my constituency, a mill that used to belong to Weldwood.

In the last few months, both of those mills have been shut down from time to time because G. W. Martin says it cannot get quality timber, there is not enough quality timber available. Of course, they are also hurt because of the market, and I will get to the market in a moment as it relates to the negotiations that have been going on between the federal Tory government and the Republican administration in the United States; but one of the major problems is that they cannot get quality timber.

As the House is probably aware, Mr. Martin died very tragically in a plane crash a few years ago. Since that time, his company has been operated in trust, I believe, for his heirs. It has come to the point where they have decided they want to sell. It remains unclear whether or not the company can only be sold in toto or whether they are prepared to sell certain parts of the company to different buyers. If it can only be sold in toto, then it means we are obviously looking offshore for a buyer, and if not offshore, probably to British Columbia or perhaps Quebec, some company in the range of MacMillan Bloedel, something that could afford to buy this kind of an operation.

Interjection.

Mr. Wildman: I am sorry if the member is not finding my remarks gripping.

Mr. Faubert: They're grabbing us right there.

Mr. Wildman: But I must say they are of significant importance in my part of Ontario. We have a situation where, over the years, we have

not been utilizing the timber adequately and properly, the end use for the timber is not what it should be and we have not been regenerating the forest. We have had debates about the need to replant for years in this House, we have had changes in the way we go about it, we have had the development of forest management agreements.

But even the forest management agreements—which are supposed to deal with the current cutting, not the long backlog, the many hundreds of thousands of acres of forest land that have not been regenerated over the last 50 to 70 years, but just the current cut—even they are being cut because the Ministry of Natural Resources, despite what the minister says, is cutting the funding for the FMAs to the point where the companies will not be able to meet their obligations unless they themselves spend money out of their own operations.

The reason we went to this system, frankly, was because that was not happening in the past and the government too was not providing enough funding. It is not going to happen, the companies are not going to put up the money the government is not putting up. So, when they have their five-year reviews and the ministry officials say to the companies, “You didn’t regenerate as per the agreement,” the companies’ response will simply be: “Well, you did not provide us with the funds; you did not provide us with the seedlings that you, the government, were supposed to provide. Therefore, the company is not at fault.” The company will be off the hook and we will have many, many acres that have not been regenerated.

Whatever the minister says—I mean, he can get up and bluster in his own friendly, happy way about how wonderful things are in the Ontario forest—in fact, there is less being spent now than there was two years ago. I will admit that two years ago there was a significant increase.

What sorts of things is the Ministry of Natural Resources doing? Before I get to how it is operating specifically, I will say that in the Sault Ste. Marie area, the Algoma district, I think we have got to look very carefully at how we use the timber that is available now, and I think we should be looking at chipping far more than we are doing and sending those chips to the pulp and paper industry. I think we, frankly, should have a pulp mill in Sault Ste. Marie, probably one of the new technologies.

We have had no greenfield plants built in Ontario since the Second World War. We have been resting on our laurels. We have been saying:

“We are close to the market. The Americans need our product, so we do not have to have new investment.” As long as our exchange rate remains at what it is today, we will probably get away with it. In the short term, that may work. In the long term, we are going to be left behind by Third World countries and even by the southern United States. We have to make sure that sawlogs are going to sawmills, veneer logs are going to veneer mills and what is left is going to pulp, not the other way around.

That having been said, what is the ministry doing? The ministry is hell bent on contracting out more and more of its responsibilities. Instead of itself regenerating the backlog of crown land, what is it doing? It is hiring contractors to come in, usually hiring inexperienced students to replant hundreds of thousands of acres, and the work is not being done properly. In order to get the contracts, the contractors are bidding so low that they are cheating those workers out of their proper pay. Sometimes the contractors go bankrupt. Sometimes these kids are dependent on these wages for going back to university in the fall, and they do not get them. That has happened a number of times. On a couple of occasions, the government had to bail out some of its own contractors; in other words, the taxpayers paid twice for the work that was done. And the work was not done properly in many cases. At the same time, we have experienced workers who have worked for the Ministry of Natural Resources in small communities across northern Ontario who are out of work, who could be putting the trees in the ground the proper way.

What is the minister’s response? It is simply to say that the ministry encourages the contractors to hire locally. Why on earth would the contractor hire an experienced person who is going to want more pay, who is going to want ministry rates, when he can hire a student at the minimum wage? That is what is happening.

The minister keeps saying he is committed to contracting out because he wants to involve the private sector. Not only does it mean that we are not regenerating properly and that some of these poor students who are being hired are not getting what they deserve; it also means that community after community in northern Ontario is losing a tremendous amount from its economy because of lost wages. Let me tell you, Mr. Speaker, unemployment insurance does not compensate adequately for that.

The minister is trying to get more regeneration done on the cheap. As a matter of fact, next year the ministry is even proposing to do many, many

thousands of acres by aerial seeding, the most ineffective way of planting a forest. Why? Because it is cheap. I do not think we can afford to do things on the cheap in our forests. It is too important to our economy, it is too important to the communities I represent and it is too important to the whole Ontario economy.

1730

I started by saying that we are running short of timber. Already in some communities we are short of timber. It has been said privately by members of the Ministry of Natural Resources that there are too many mills in Hearst for the amount of timber available. It is coming to that point in Chapleau, and the ministry is talking about the Sault Ste. Marie area and saying we have to have a rationalization. Rationalization is a euphemism for shutdown of certain mills and losses of jobs.

We are already at that point. Where are we going to be in 10 years? Even if we start to meet our obligations under the forest management agreements, both the private companies and the government; even if we stop this contracting-out fallacy or folly of the government and start replanting the backlog of crown land using ministry staff, experienced people, paying decent wages and getting a good job done; even if we start that now, we all know the trees will not be ready to cut for at least 50 years and probably up to 70.

It is not a pretty picture. There are only 15 of us northern members in this House out of 230.

Mr. Pouliot: It is 130.

Mr. Wildman: Sorry. It sounds like 230 sometimes. A number of those 15 members are on the government side. I can only say—and I mean this sincerely—that I hope the members who represent forestry communities on the government side are saying, in caucus at least if not publicly, what I am saying here.

I hope they are opposing the contracting-out policy of the Ministry of Natural Resources. I hope they are opposing the cutbacks in funding for replanting and regenerating our forests. I hope they are speaking on behalf of proper end use when the ministry starts talking about rationalization in the forest industry.

I hope that we, as northern members, can all co-operate in trying to persuade all the members of this assembly of the crisis that we face and that must be faced by the government, because it is indeed a crisis. I am not overblowing it; I am not exaggerating. There are many jobs that will be lost in southern Ontario unless this crisis is met.

Resource management is very complex. It does not relate to just forestry obviously; it relates to all of the other uses of our resources. I mentioned tourism already. Tourism is an important industry in our part of the province, as it is across Ontario. In our part of the province, it is indeed a resource industry. It is dependent on the forests, the lakes, the wildlife, the fish generally. Unless we manage our forests properly, then those tourist industries are also going to be in trouble.

One of the major problems we have with the Ministry of Natural Resources is that it no longer maintains roads in the bush, roads that are important for fire-fighting but also for tourism. It no longer maintains boat launches on the lakes in those areas. They are cutting back, as my colleague the member for Sudbury East (Miss Martel) says, on landfill maintenance in the bush.

When we ask the ministry, "Why are you doing this?" the answer is, "We don't have the funds, we've been cut back." We say, "Okay, who is supposed to do it?" "Well, we don't know." I have even had a member of the Ministry of Natural Resources suggest to me that the Ministry of Tourism and Recreation should take over the maintenance of roads and boat launches in northern Ontario.

We in this House all know that the Ministry of Tourism and Recreation is a minor ministry. It does not have the money, it does not have the expertise and it does not have the staff to do this work. But the position of the Ministry of Natural Resources is simply that it is not going to do it, and if it is going to be done, it better be done by somebody else.

In one district in my riding there are 163 forest access roads. The ministry district is maintaining six. They have 57 boat launches, I believe. They are not maintaining any. They are putting up signs saying, "Use at your own risk." Is that not a great advertisement for tourism? "Bring your expensive boat from southern Ontario, Michigan or Ohio. Use our lakes but use the boat launch to get the boat into the lake at your own risk. If you wreck your boat or your trailer, too bad."

This government talks a lot about encouraging tourism, but it has done absolutely nothing. For the last two years, we have been talking about a tourism strategy in this province. The tourism strategy was first promised for December 1987. Nothing happened. I asked the minister, "When is it coming?" and he said, "February 1988." February: nothing happened. I asked him, "When is it coming?" and he said, "Probably by

summer." We still do not have that tourism strategy. I asked the minister in the House the other day about it and he did not have any response.

Frankly, we know what has happened with the tourism strategy. It has been buried by this government because the various ministries involved cannot agree on what the tourism strategy should be, particularly in northern Ontario. The Ministry of Natural Resources and the Ministry of Tourism and Recreation cannot straighten out where roads should be built, what roads should be maintained and who should be responsible. I doubt we are ever going to see this so-called tourism strategy because the government does not have a strategy and cannot develop it.

Hon. Mr. Grandmaître: What did we do for New Liskeard?

Mr. Wildman: The government is providing grants to help with harbours and improving the downtown of many small towns across the province. That is all welcome, I agree; but it is not part of any strategy, it is ad hoc.

Hon. Mr. Grandmaître: Thirty million dollars on the municipalities.

Mr. Wildman: The minister may think he can just throw \$30 million here, \$10 million there and so on and that means a strategy. It does not sound like a strategy to me.

I will give an example. There is a boat launch in West Larkin Lake near Hornepayne in my riding. It has been there since the 1950s. It is in terrible shape and the Ministry of Natural Resources has just announced it is not going to maintain it any more. It has not been maintaining it for years, but now it is actually telling the people, "We're not going to maintain it." They are just not doing it. Who is going to maintain it? Nobody knows.

If it is not going to be maintained, as my colleague the member for Lake Nipigon (Mr. Pouliot) can attest, we know what the Ministry of Natural Resources is going to do. It is going to yank it out. Nobody will be able to get their boat into the lake. Then we will have the Ministry of Tourism and Recreation going around advertising: "Come to Hornepayne. Great fishing." It makes a lot of sense, does it not?

The Minister of Revenue (Mr. Grandmaître) mentioned the improvements that have been made in various communities, and I welcome that. I think the ministry should be looking very carefully at providing further assistance to small businesses in small communities across northern Ontario to help them to improve the façades of the businesses and to improve the look of

the town and to help develop themes for downtowns rather than just having everything developed topsy-turvy. I think that would be very helpful.

I am very appreciative of the efforts that have been made up to now. I just think there should be an overall program for developing that, not only in northern Ontario but also across the province. I think, though, in northern Ontario we tend to be a little bit farther behind than some parts of southern Ontario with regard to improvements to attract tourists. I think we have to be moving farther in that regard.

I will not take much time on this, but I think perhaps the Temagami problem is the best example of a government that is paralysed and does not know how to deal with forest management as it relates to multiple use. First, there has been a land claim in that area for 10 years or so.

1740

Mr. Haggerty: Twenty years.

Mr. Wildman: Well, there has certainly been a caution for about 10 years, a caution put on something like 140 townships. It was not anything new. It was put on when the previous government was talking about Maple Mountain. It was not anything new to the Liberals when they came into power, but nothing happened and nothing has been done by this government to try to resolve that land claim. If it does not resolve the land claim, it is not going to be able to resolve any of the other problems in the area relating to parks, forest management and exploitation.

When I raised this question and when reporters asked this question at the time the blockade was put on the road by the Indian band, the Minister of Natural Resources (Mr. Kerrio) said: "Well, I'm not in charge of Indian affairs. That's the Attorney General, so you had better ask the Attorney General."

We asked the Attorney General (Mr. Scott), and he said: "Well, I don't build roads in the bush. That's the responsibility of the Ministry of Natural Resources, so you better ask the Minister of Natural Resources."

At the time I asked the Minister of Natural Resources, "Who's on first?" It is sort of the Freddie Prinz approach to government, "It's not my job."

Mr. Villeneuve: Would you give a Tory member a chance to say something?

Mr. Wildman: Okay. I think Temagami is an example of the failure of this government to come to grips with the question of tourism

strategy, forest management and particularly Indian affairs, Indian land claims and Indian rights in this province. It is a government without rudder and without direction in this very important area for northern Ontario.

The government has an approach that it seems to try to throw everything off to the federal government. For instance, it will not improve the roads in the north because we do not get enough money from the feds; we do not get any money from the feds, like the other provinces do.

One of the other areas that is of particular importance in the north, of course, is mining. We have had a tremendous expansion of gold mining in Hemlo and other areas in my riding. It has meant a tremendous boom, but the government is not responding to that boom in any way except the same old ad hoc approaches we have in the past where it hands out a little bit of extra money to Manitouwadge and Marathon. They do not give anything to White River, to Wawa or to Dubreuilville.

They want to see that there is indeed the same kind of pressure on those other communities as there is in Marathon and Manitouwadge before they give them any money, instead of actually approaching it in a strategic way and saying: "When there is mining development outside the boundaries of a municipality in northern Ontario in unorganized areas, there will be a policy that if a community is a bedroom community, it will be able to tax the mining development because it is having to provide the services."

No. What does this government do? It just continues the approach of the past: Give a little bit of money to Marathon and Manitouwadge, keep their mouths shut, but do not do anything about the problem. The problem, whether we like it or not, is not just a Marathon-Manitouwadge problem; it is a problem for the northern mining communities right across, from the Manitoba border to Quebec. What we need is a general, organized approach.

I had hoped to be able to raise some questions with regard to the Ministry of Agriculture and Food and also a couple of other issues of importance in terms of health care in northern Ontario and fire protection, but I did not expect to take this amount of time. I apologize to my friend from the united counties and say that I will yield the floor at this point to enable him to get his remarks on the record.

I want to close by saying that if we are ever to achieve anything in this place, we must co-operate with one another to make this place work. That does not mean putting aside our

partisan differences, but it does mean being able to work together as people who are all elected by the people of this province to try to meet the needs of our constituents; and that is not hard to do. Perhaps we are forced to do it in a minority situation, but it should not just disappear because the numbers change in the House. Just because a government is elected as a majority, whether it is Conservative, Liberal or New Democrat, does not mean that that party then can say: "Well, the hell with the opposition, we are going to do whatever we like."

I started my remarks by saying that that is indeed what happened with regard to one of the officers of this House today. I regret that that has happened. I hope the government will return to a situation where it listens, whether it is in terms of the operations of this assembly, whether it is in relation to what is happening in our forests or in tourism in northern Ontario or whatever other policy area. The government should listen to what is being said in the House in a serious vein and then respond. That does not mean agree, but respond in some way or other instead of just going along on its own merry way and saying: "We have got the numbers. We are in charge. You guys wait till the next election."

Ms. Hart: First of all, I would like to thank the member for Algoma (Mr. Wildman) for his, shall I say, expansive and gracious comments towards the member for Elgin and the member for Windsor-Walkerville. As they may be slightly embarrassed themselves to acknowledge them, I am happy to do it on their behalf.

The member speaks well of the co-operation that we need in this House to get things done, the co-operation we need to make the rules work, and today is a very good example of those rules. Here we are, taking a motion for interim supply, the motion that authorizes the Treasurer to pay civil servants and other necessary payments before the Supply Act, and the member is able to raise some very good concerns he has in his own riding and from his own portfolio with respect to tourism and forests among other things.

We are always listening to the member's creative suggestions. There have been several here today, and I thank the member for them.

Mr. Pouliot: I am so privileged to have close friends like the member for Algoma. We have neighbouring ridings. Ours is the largest in the province of Ontario. People from Nickel Belt, Rainy River and Sudbury East time and time again not only adhere very strictly to their mandate but go the proverbial step beyond by

coming up with workable, reasonable alternatives.

For sure, I can readily agree that the ministers who were named are not misleading the House. If they are, they do not do so deliberately and systematically. Perhaps they are ill-advised, but their reaction is a normal one. We have not been blessed up north with a sense of vision; good planning has not been this government's forte in the least, or with direction. Consequently, we are now noticing more than ever before the results of neglect, neglect and, one more time, neglect.

The solution is quite simple. It is to begin at long last to plan so that you can integrate people from the north into the economic mainstream of Ontario. You cannot go on cutting six to seven million cords a year and planting six to seven million trees a year; you do not have a cord to a tree. You have to farm your resources. Upward of 60 per cent of those in the riding of Lake Nipigon, but more important perhaps in the region, depend on forestry.

Mr. Wildman: I thank the member for York East (Ms. Hart) for her kind remarks. I do want to reiterate that our position today, in my view, is not a personal one related to the member for Elgin or the member for Windsor-Walkerville. We have the utmost respect for both. We have had the opportunity of seeing the member for Elgin carry out responsibilities in the chair, and I do reiterate that we believe her to be most competent and fair and to have a sense of humour, which is important in your role, I am sure you would agree, Mr. Speaker.

1750

I thank the member for her remarks and do say I would hope we will have the opportunity, not just in the supply motion but actually in the detailed line-by-line votes in the estimates, to deal with the operations of the various ministries, whether it be Natural Resources or Tourism and Recreation or whatever, so that we can actually get in, as all members, government and opposition, and look at the various programs carried out by the various ministries so that we can determine whether the money is being spent wisely or whether there might be a redirection of resources to meet the needs of the people of the province.

Certainly the estimates debates can become a philosophical discussion. Over the last few years there was a tendency by the ministers to take a long time in making their opening remarks, so there was very little time left, and then the opposition critics did the same thing. I think it is better when we have short opening speeches by

the minister and by the two critics and then we actually get to the line-by-line votes and talk about the various programs.

For one thing, as an opposition member, and certainly as a backbencher, I found it is a very good way for a new member to learn how the ministry works and what the government is actually doing. I hope we can return to that again.

I thank the member for York East and the member for Lake Nipigon for their kind remarks.

Mr. Villeneuve: I too will be addressing, probably until the end of the sitting today, my areas of responsibilities, which are Agriculture and Food and francophone affairs.

First of all, I want to echo the sentiments as echoed by my friend the member for Algoma pertaining to what happened earlier in this Legislature this afternoon. The Deputy Chairman of the committees of the whole House, the member for Elgin, I think did an excellent job. We were actually sorry to see her leave the royal rump over here, because we always had a chance to dialogue, dialogue very eloquently, and it was always a pleasure to have the member for Elgin close by and to listen to her comments very attentively as she was a member of this little Liberal rump over here.

I sometimes wonder why we have a standing committee on the Legislative Assembly. A committee on the Legislative Assembly is indeed where this discussion should have occurred, with input from all parties, as was suggested at another time, that appointments by this government should also be funnelled through the standing committee on the Legislative Assembly. My colleague the member for Wellington (Mr. J. M. Johnson) is a member and a very capable member. Certainly this type of discussion and this type of guidance should be provided by the standing committee on the Legislative Assembly. If not, why have the committee at all? Not just for travelling, I hope.

The federal government has adopted this very method of operation, and I think it has worked quite well. Appointments go through that particular committee, as does the business of replacing people within the House of Commons, those who are in positions such as you are, Mr. Speaker.

I would certainly strongly recommend it, in view of the fact that it was suggested to the government that this committee indeed perform the duty, a duty that would take a lot of heat off the government members from time to time as it would go through a committee. They may do as

they did on Sunday shopping and not listen, but it would have gone through a committee where everyone would have had a chance for input instead of having it sprung on members as it was today.

Those are my contributions and my suggestions on the performance of this Legislature and the standing committee on the Legislative Assembly.

Getting to the debate on interim supply, I am pleased that the Minister of Agriculture and Food (Mr. Riddell) is here this afternoon because I will have a number of questions for him, as he well appreciates. I think sometimes I can take the best out of him, because he does rise to the occasion and there are times when the answer is not quite maybe what he would like to give. However, I realize that he has a ministry that is important.

However, under the Ontario farm management, safety and repair program, which was a very successful program, we have had farmers from across the province subscribe and use the capital grants that were allowed to put up grain storage buildings, grain handling buildings and certainly repair farm equipment in times when the agricultural economy is going through some very difficult times, and I am sure I need not tell the minister that.

What is very disappointing and what I am getting a lot of correspondence on is the fact that OFFIRR, the Ontario family farm interest reduction program, has been cut by 60 per cent. That is something that I think the minister should look at again. I happen to have noticed from his estimates in his ministry last year that there was a \$20-million within-ministry saving that occurred. I think it could have been very well used in providing additional capital grants on the farm management and safety repair program, which was a most positive and well-received program throughout Ontario.

With the Ontario Farm-Start program, I am not sure what is happening there. The land stewardship program is leaving a lot to be desired. I am told by a number of people who are participating that there is confusion to no end out there, and certainly I would like to see the minister provide some guidance as to exactly what is happening. Are municipalities indeed participating, to what degree are they participating and what is the ministry's participation?

I think we have a number of areas in pollution control. I had a private member's bill in this Legislature during the last session that strongly endorsed, unanimously endorsed the production

of methanol-ethanol, which would reduce emissions that created major problems in this city during the very prolonged heatwave that we had over the summer and that prompted the Minister of the Environment (Mr. Bradley) to suggest that if indeed the situation continued, he might be ordering cars off the roads.

I think there are many better ways of solving the problem than having government intervention and, heaven forbid, providing some legislation that would prevent people from using their cars within the city of Toronto. The greenhouse effect is a very real one. It is occurring on a daily basis and is contributed to very greatly by car exhaust emissions. Very often this government and the Minister of the Environment point an accusing finger at the United States of America, but let us not forget that California car emission standards are the highest in North America. We should be taking a leaf out of their book as opposed to pointing an accusing finger at them. We have to get our own house in order pertaining to car exhaust emissions.

Je vois que le ministre délégué aux Affaires francophones (M. Grandmaître) est ici cet après-midi. J'apprécie le fait qu'il a dû faire face à une situation assez difficile. Il n'y a pas tellement longtemps, à la radio de Radio-Canada, le Ministre a suggéré que si les groupes francophones aidaient le gouvernement à résoudre les problèmes du recensement, les problèmes du projet de loi 125, au lieu d'interjeter appel dans la situation, ce serait peut-être une façon beaucoup plus agréable et facile pour lui d'essayer de régler le problème.

Se souvient-il que, les 10 et 16 mai, moi-même, ainsi que d'autres membres de mon parti et que la députée de Sudbury-Est (Mlle Martel), nous avons participé à un débat? J'ai dit, et je cite, en page 3395 du Hansard du 16 mai 1988:

«De plus, ce qui inquiète l'Association française des conseils scolaires de l'Ontario, c'est que le projet de loi 125 a retiré aux Franco-Ontariens le droit reconnu par la Cour d'appel de l'Ontario et par la Loi 75 de diviser le territoire et de répartir les conseillers scolaires de la façon la plus appropriée pour la communauté francophone.»

Nous avons expliqué cela à maintes reprises. Maintenant, je trouve un peu néfaste le fait qu'on nous dise qu'on aurait dû participer au débat et aider le gouvernement à résoudre le problème. Je crois que nous avons fait tout ce qu'on pouvait faire en participant au débat; le tout s'est produit tout de même. La décision du juge Sirois est bel

et bien très normale. Il est dommage que tout arrive à la dernière heure, où plusieurs de nos représentants aux conseils scolaires franco-phones ne savent pas exactement ce qui va se produire.

I am just getting going and I notice the time is up.

On motion by Mr. Villeneuve, the debate was adjourned.

The House adjourned at 6 p.m.

ANSWERS TO QUESTIONS IN ORDERS AND NOTICES

LEGAL WORK

31. Mr. Cousens: Would the Attorney General provide a list of the requests for legal advice made by the government of Ontario to the legal firm of Blake, Cassels and Graydon since May

1985 and the resultant billings from this legal work? [Tabled December 3, 1987]

Hon. Mr. Scott: Attached is the ministry's response to the question regarding legal advice from Blake, Cassels and Graydon for the period May 1985 to December 3, 1987.

**Payments to the law firm of Blake, Cassels and Graydon
over the 31-month period May 1985 to December 3, 1987**

Ministry	Type	Fees	Disbursements	Total Paid
Consumer and Commercial Relations:	OTHR	\$ 2,500.00	\$ 11.91	\$ 2,511.91
Ministry totals		2,500.00	11.91	2,511.91
Energy	M-HB	3,250.00	—	3,250.00
Ministry totals		3,250.00	—	3,250.00
Financial Institutions:	M-HB	1,250.00	—	1,250.00
	LOPN	12,900.00	—	12,900.00
	JUDR	3,850.00	—	3,850.00
Ministry totals		18,000.00	—	18,000.00
Industry, Trade and Technology:	B&I	338,026.95	15,040.39	353,067.34
	COMM	38,310.00	3,273.80	41,583.80
	LITG	100,250.67	444.38	100,695.05
	LOPN	171,021.12	7,147.50	178,168.62
Ministry totals		647,608.74	25,906.07	673,514.81
Labour:	JUDR	28,118.50	753.70	28,872.20
	LREL	12,089.50	9,329.03	21,418.53
	STAT	30,360.00	14,738.74	45,098.74
Ministry totals		70,568.00	24,821.47	95,389.47
Tourism and Recreation:	CORP	27,295.00	670.20	27,965.20
Ministry totals		27,295.00	670.20	27,965.20
Attorney General:	LOPN	74,157.50	1,915.85	76,073.35
	RCOM	38,017.49	3,529.92	41,607.41
	OTHR	—	100.00	100.00
Ministry totals		112,234.99	5,545.77	117,780.76
<hr/>				
Total payments by all ministries		\$881,456.73	\$56,955.42	
Total paid to Blake, Cassels and Graydon firm:				\$938,412.15

Retention of private sector lawyers

The following are electronic data processing codes for the various types of legal work performed by private sector lawyers who have

been retained. Please use only one code for each legal account being reported. If in doubt, please use "OTHR" code.

EDP code	Type of legal work
ADOP	Adoptions
B&I	Bankruptcy and insolvency
COLL	Collections

EDP code	Type of legal work
COMM	Commercial transactions
CONV	Conveyancing
CORP	Corporate matters
CRMD	Criminal defence matters
CRMP	Criminal prosecutions or provincial offences prosecutions
CUST	Custody and unified family court matters
ENVR	Environmental hearings
ESTT	Estates
EXPR	Expropriations
FMYL	Family law
FRCL	Foreclosure/power of sale
JUDR	Judicial review
LREL	Labour relations/grievances/arbitration
L&T	Landlord and tenant
LOAN	Loan, grant transactions
LONP	Legal opinion
LITG	Litigation (general)
MCLN	Mechanics liens (Construction Lien Act)
M-HB	Miscellaneous hearing board/administrative tribunal
MRTG	Mortgages
MVAC	Motor vehicle accident claims fund
OHRC	Ontario Human Rights Code
OTHR	Other
PATS	Patents/trademarks/copyright
RCOM	Royal commissions
REAL	Real estate transactions (purchase or sale)
RPAA	Real property assessment appeals
SECS	Securities
STAT	Legislation (statutes, regulations, orders in council)
TRST	Loan and trust investigations

GOVERNMENT EMPLOYEES

67. Mr. Harris: Would each minister provide a list of those persons who have left their communications branch since June 1985, what the position was and whether that position has been filled? [Tabled December 9, 1987]

See sessional paper 373.

68. Mr. Harris: Would each minister provide a list of those persons who have joined their communications branch since June 1985, what positions they have been hired for, what the salary range is for the position, whether there was an open or internal competition for the position and what advertising for the position took place? [Tabled December 9, 1987]

See sessional paper 374.

GOVERNMENT LAND

97. Mr. Breagh: Would the Minister of Government Services list all lands owned by the provincial government and its agencies within

the boundaries of Metropolitan Toronto, the regional municipality of Peel, the regional municipality of York and the regional municipality of Durham? [Tabled April 5, 1988]

Hon. Mr. Patten: It is the responsibility of each ministry and agency to maintain an inventory of lands to which it holds title. Attached, therefore, is a list of those patented lands within the municipalities of Metro Toronto, Peel, York and Durham region to which the Ministry of Government Services holds title.

Municipality of Metropolitan Toronto

Borough of East York: Ontario government building, 1075 Millwood Road.

City of Etobicoke: Central Laboratory, 81 Resources Road; Thistletown Regional Centre, 51 Panorama Court; former Lakeshore Psychiatric Hospital, 3131 Lakeshore Boulevard West; Ministry of the Environment laboratory, 125 Resources Road; construction and maintenance headquarters, 185 Judson Street; Mimico Cor-

rectional Centre, 130 Horner Avenue; St. Faiths Lodge, Warrendale, Warrendale Court; radio tower site, Evans Avenue; cemetery grounds, Evans Avenue; Mimico patrol yard, 481 Kipling Avenue; Toronto West Detention Centre, 111 Disco Road; vacant, Highway 27 and Burnhamthorpe Road; various Parkway Belt lands, Parkway Belt West.

City of North York: OPP district headquarters and detachment, Falstaff Avenue; former driver examination centre, 262 Falstaff Avenue; Shepard and 400 patrol yard, Highway 400; Ministry of Transportation administrative offices, 1201 Wilson Avenue; vacant land, Falstaff Avenue/Keele Street; Ontario government building, 5000 Yonge Street.

City of Scarborough: Kennedy Road patrol yard, Highway 400 and Kennedy Road; Correctional Services head office, 2001 Eglinton Avenue East; East Metro Children's Services, 184 Galloway Road; boys rehabilitation centre, Island Road and Port Union Road; Malvern land assembly, Neilson Road and McLevin Avenue; vacant, Ellesmere and McCowan roads; Toronto East Detention Centre, 55 Civic Road; northeast Scarborough lands (North Pickering assembly), Steeles Avenue and Townline.

City of Toronto: Surrey Place Centre, 2 Surrey Place; Alcohol and Drug Addiction Research Foundation, 33 Russell Street; Thomas L. Kennedy Building, 801 Bay Street, main Queen's Park complex, Queen's Park Crescent, East and West; East of Bay development, Bay and Yonge, south of Wellesley; west of Bay, Bay and Grenville streets; forensic science centre, 25 Grosvenor Street; mental health centre, 1001 Queen Street West; election office, 70 Lombard Street; MGS regional office, 178 Queen's Quay; juvenile and family courts, 311 Jarvis Street; Toronto Jail, 550 Gerrard Street East; Supreme Courts, 145 Queen Street West; Ontario Institute for Studies in Education, 252 Bloor Street West; OPP general headquarters and administration, 125 Lakeshore and 90 Harbour Street; Ontario government building, 2195 Yonge Street; administration of justice complex, 361 St. Clair Avenue West; Ontario government building, 135 St. Clair Avenue West; Ontario stockyards, 590 Keele Street; proposed courthouse site, Chestnut and Armoury streets; Clarke Institute of Psychiatry, 250 College Street.

Cities of York and Toronto: Spadina Expressway lands, numerous locations.

Regional Municipality of Peel

City of Brampton: Provincial Police College,

Queen Street West; court and land registry office, 7755 Hurontario Street; driver and vehicle testing, Steeles Avenue and Airport Road; Vanier Centre for Women, McLaughlin Road South; Ontario Correctional Institute, McLaughlin Road South; various Parkway Belt lands, Parkway Belt West; ambulance station, Sandlewood Parkway.

Town of Caledon: Caledon patrol yard, Highway 10; Bolton patrol yard, Highway 50; Credit Forks Provincial Park (vacant site), Belfountain.

City of Mississauga: Port Credit OPP detachment, 49 South Service Road; records centre, 3215 Erindale Station Road; Brampton patrol yard, Highways 10 and 401; various Parkway Belt lands, Parkway Belt West.

Regional Municipality of York

Town of Aurora: Pineridge Site, Yonge Street and Bloomington Side Road.

Township of Georgina: Sibbald Point Provincial Park, County Road 18; Baldwin patrol yard, Highway 48; proposed Duclos Point Provincial Park, east of Sutton; former gravel pit, east of Baldwin; Sutton-Zephyr Nature Trail, near Baldwin village.

Town of King: muck research station, Highway 400 Service Road; Holland Marsh patrol yard, Highway 9.

Town of Markham: Unionville patrol yard, Highway 7; various Parkway Belt lands, Parkway Belt West; Markham lands (North Pickering assembly), Steeles Avenue and Townline.

Town of Richmond Hill: Downsview OPP transmitter, Bathurst Street; various Parkway Belt lands, Parkway Belt West; Richmond Hill patrol yard, Highway 404.

Town of Vaughan: southern research station, Dufferin Street; Concord patrol yard, Highway 7; Maple patrol yard, Major Mackenzie Drive; various Parkway Belt lands, Parkway Belt West.

Town of Whitchurch-Stouffville: Stouffville patrol yard, Main Street; fish hatchery, Highway 48.

Township of Brock: Camp Chimo, County Road 10; Sunderland OPP tower site, Sideroad 19 and CNR.

Township of Newcastle: Agricultural land (former Pineridge School), town of Bowmanville; Orono forestry station, Highway 115/35, village; Newcastle patrol yard west, Highway 401; Newcastle fish hatchery, Highways 401 and 115; Darlington Provincial Park, east limit of Oshawa; Kendal Recreation Area, County Road 9; Bowmanville land assembly (former Pineridge

School), town of Bowmanville; Newcastle patrol yard east, Highway 401; wildlife sanctuary, Lake Ontario and Wilmot Creek.

City of Oshawa: Revenue building, 33 King Street West.

Town of Pickering: Brock Road patrol yard, Highway 401 and Brock Road; Seaton town site (North Pickering assembly), Finch Avenue to Highway 7.

Township of Scugog: Scugog aircraft dock, Scugog Island; Manchester patrol yard north, Highways 12 and 47; Watson wildlife management, Highway 7A; Lake Scugog Provincial Park (vacant site), north end Scugog Island; Nonquon hunting area, Highway 12; Manchester patrol yard south, Highways 7A and 12.

Town of Whitby: Whitby OPP detachment, 130 Henry Street; Whitby Psychiatric Hospital, Victoria Street; land registry office, 400 Centre Street South; Whitby Jail, Victoria and Centre streets; Perimeter Training School (vacant site), Victoria and Jeffery streets; Whitby land assembly, Highway 7 at Townline; proposed Ontario government building, Rossland Road East.

RELIGIOUS EDUCATION

266. Mr. Jackson: Would the Minister of Education provide a list of school boards which have requested in writing an exemption from the teaching of religious education in any classroom or school pursuant to section 28(15) of regulation 262? [Tabled May 19, 1988]

267. Mr. Jackson: Would the Minister of Education provide a list of school boards to whom he has granted an exemption from the teaching of religious education in any classroom or school under section 28(15) of regulation 262? [Tabled May 19, 1988]

Hon. Mr. Ward: For the 1987-88 school year, the following school boards have requested in writing an exemption, and were granted an exemption, from the teaching of religious education:

- The Brant County Board of Education;
- The Kent County Board of Education;
- The Board of Education for the City of Toronto;
- The Wentworth County Board of Education;
- The Carleton Board of Education;
- The Kapuskasing Board of Education;
- The Bruce County Board of Education;
- The Cochrane-Iroquois Falls Board of Education;
- The East Parry Sound Board of Education;
- The Niagara South Board of Education;

The Board of Education for the City of North York;

The Board of Education for the City of York; and

The Michipicoten Board of Education.

There were no school boards which applied for, and were refused, an exemption under section 28(15) of regulation 262.

268. Mr. Jackson: Would the Minister of Education provide a list of criteria he uses to determine whether or not to grant exemptions to school boards under section 28(15) of regulation 262? [Tabled May 19, 1988]

Hon. Mr. Ward: The board must request an exemption and must provide reasons for the request. If the reasons appear to the minister to be sufficient and appropriate, the request is granted.

269. Mr. Jackson: Would the Minister of Education provide, given that section 28(16) of regulation 262 directs each appropriate supervisory officer to bring the provisions of section 28 to the attention of the board or boards in respect of which he has jurisdiction, a list of any school boards which are not now complying with section 28 of regulation 262? [Tabled May 19, 1988]

Hon. Mr. Ward: Thirteen boards have been granted exemption from the requirements of section 28(15) of regulation 262. We expect that all other boards are complying with section 28. To determine whether boards are in fact complying will require a provincial survey of all school boards.

270. Mr. Jackson: Would the Minister of Education provide, given that section 28(2) of regulation 262 directs school boards to prepare a list of readings and/or prayers approved for the purposes of section 28(1) of the same regulation, a list of all school boards which have approved such lists of selections, along with the selections themselves, including any lists of selections which are blank or empty? [Tabled May 19, 1988]

Hon. Mr. Ward: Lists of readings and/or prayers developed by school boards are not required to be submitted by school boards to the Ministry of Education. However, some boards have forwarded copies of their lists to the ministry and these can be made available on request.

271. Mr. Jackson: Would the Minister of Education provide the interpretation of the words "controversial or sectarian nature" which is used by the Ministry of Education in applying the

provisions of section 28(6) of regulation 262? [Tabled May 19, 1988]

Hon. Mr. Ward: The interpretation of the words "controversial or sectarian nature" is that there must be no instruction along denominational lines by the teacher in the instruction of religious education.

MINISTRY PUBLICATION

276. Mr. Runciman: Would the Minister of Agriculture and Food advise the House of the number of full-time and part-time ministry employees engaged in the preparation of the OMAF News? Also, will the minister indicate the total annual cost associated with the production and distribution of the OMAF News and include a cost breakdown of same? [Tabled June 1, 1988]

Hon. Mr. Riddell: The Ministry of Agriculture and Food employs one full-time editor for the preparation of OMAF News. Since she also prepares the internal newsletter for the ministry, the percentage of her time spent on OMAF News is approximately 75 per cent. One full-time distribution clerk spends approximately one and a half days, 10 times per year, distributing OMAF News.

The cost of typesetting and printing each issue of OMAF News is \$5,330 per month. At 10 issues per year, that cost is \$53,300 per year. Statistics Canada handles the label production, addressing, sorting, postage and delivery of OMAF News. Their total estimated cost is \$190,900, or approximately \$19,090 for each issue. Total cost of each monthly issue is approximately \$24,420, or approximately 30 cents per individual copy of the newspaper, for all outside costs, based on a print run of 79,000. Total yearly costs for 10 issues are approximately \$244,200.

CABINET EMPLOYEES

277. Mr. Mackenzie: Would the chairman of Management Board of Cabinet provide, for each member of the executive council, a list of all individuals employed in his/her office as of this date, including anyone who has been seconded from within the government? Please list the name, current position and salary range of each individual. [Tabled June 1, 1988]

See sessional paper 375.

STATUS OF LAND

325. Mrs. Grier: Would the Minister of Natural Resources inform the House (1) how

many acres of waterfront land the ministry owns between the Humber River and the Mimico Creek in the city of Etobicoke and (2) how many acres of land covered by patented water lots there are between the Humber River and the Mimico Creek in the City of Etobicoke? How much of this land is still covered by water? How much land has been created by private property owners illegally filling patented water lots? [Tabled June 7, 1988]

Hon. Mr. Kerrio: In the area between the Humber River and Mimico Creek, commonly known as the Motel Strip, the Ministry of Natural Resources owns approximately 3.47 hectares (8.57 acres) of dry waterfront land. This land was formerly part of the bed of Lake Ontario and in the ensuing years it has been filled in, without legal authority, by various parties. Accordingly, this area of land is currently subject to litigation and other third-party claims regarding private ownership interests and unauthorized occupations.

Not including the 115.724 hectares (285.95 acres) granted to the Metropolitan Toronto and Region Conservation Authority in order that the Humber Bay east and west projects could be constructed, there are some 15.638 hectares (37.97 acres) between the Humber River and Mimico Creek covered by patented water lots. Of these patented water lots, approximately 6.68 hectares (16.53 acres) are still covered by water. The remaining 8.958 hectares (21.44 acres) have been filled in.

Once ownership of a patented water lot has been transferred, under letters patent, from the crown, the land ceases to be public land. Consequently, it is important to keep in mind that the filling in of such water lots is not deemed illegal by this ministry. However, there is legislation that can be relevant to this activity. For example, since 1973, the MTRCA has been administering its fill regulations, under the Conservation Authorities Act, to control filling along the Toronto waterfront.

CHILDREN'S MENTAL HEALTH SERVICES

328. Mr. Allen: Would the Minister of Community and Social Services advise what is the average length of time it takes for children to move from assessment to a mental health placement? [Tabled June 8, 1988]

Hon. Mr. Sweeney: The following information details the Ministry of Community and Social Services response to the question:

Region	Average length of time
Southwest	2½ to 5 months
Southeast	3½ to 9½ months
North	1 to 3 months
Central – Outside Metropolitan Toronto	1½ to 6 months
– Metropolitan	See answer to question 329.

329. Mr. Allen: Would the Minister of Community and Social Services list how many children in the province are waiting for mental health placement? [Tabled June 8, 1988]

Hon. Mr. Sweeney: The following information details the Ministry of Community and Social Services response to the question.

Region	Number on waiting list
Southwest	220
Southeast	155
North	131
Central – Outside Metropolitan Toronto	160
– Metropolitan Toronto	Most of the Toronto agencies will provide alternative support or referrals to other sources to clients who are awaiting residential services. As well, the special services unit via its place group acts as a “broker” for the system for difficult-to-serve clients.

RENT REGULATION

330. Mr. Jackson: Would the Minister of Housing provide a copy of the logbook filed at the Hamilton rent review office of the south-western region, such logbook to list every landlord application filed under section 73(3)(b) or section 74 of the Residential Rent Regulation Act, and to detail the following information: the file number, the building address, the date the application was received by the Hamilton office, the requested increase reflected as a percentage of the total rent and the number of units to which the increase applies? [Tabled June 9, 1988]

See sessional paper 376.

WINTARIO DRAWS

331. Mr. McLean: Would the Minister of Tourism and Recreation provide the costs involved in staging the weekly televised Wintario program, including costs for salaries, equipment, hall rental, transportation, receptions, hotel suites and other related costs? [Tabled June 20, 1988]

Hon. Mr. O’Neil: Wintario draws are held in a different location each week. The 1988-89 budget is \$2.1 million (net of the Ontario Lottery Corp. share of commercial revenue). This allows for contingencies to cover replacement equipment (i.e., truck), refurbishing of gymnasium floors if damaged, etc.

Actual costs for 1988-89 are estimated to be

about the same as 1987-88, or \$1.9 million. The costs include television production and distribution, OLC salaries, talent fees, transportation, production, security, equipment maintenance, hotel rooms and food.

ONTARIO PLACE

332. Mr. McLean: Would the Minister of Tourism and Recreation provide the revenues, expenses and net profit or loss for Ontario Place between June 1, 1987, and June 1, 1988? [Tabled June 20, 1988]

Hon. Mr. O’Neil: Between June 1, 1987, and June 1, 1988, Ontario Place operating revenues totalled \$13,631,825. Operating expenses for this same period were \$17,273,048, resulting in an operating deficit of \$3,641,223.

333. Mr. McLean: Would the Minister of Tourism and Recreation provide the number of full-time and part-time staff employed by Ontario Place as of June 1, 1987, and as of June 1, 1988? [Tabled June 20, 1988]

Hon. Mr. O’Neil: The number of full-time and part-time staff employed at Ontario Place as of June 1, 1987, and June 1, 1988, is as follows:

	Full-time staff employed	Part-time staff employed
June 1, 1987	97	5
June 1, 1988	94	6

334. Mr. McLean: Would the Minister of Tourism and Recreation provide the number of summer students employed by Ontario Place during the summer of 1987 and the summer of 1988? [Tabled June 20, 1988]

Hon. Mr. O'Neil: The number of summer students employed by Ontario Place during the summer of 1987 and the summer of 1988 is as follows:

	Number of student positions available	Maximum number positions filled	Total number students employed
Summer 1987	823	755	1,000 (1)
Summer 1988	830	814 (to date)	814 (2)

1 – Due to turnover.

2 – Interviews are continuing, to fill remaining vacancies.

335. Mr. McLean: Would the Minister of Tourism and Recreation explain why \$800,000 was allocated for a Laventhol and Horwath study of Ontario Place when that study only cost approximately \$75,000 and who commissioned that study? [Tabled June 20, 1988]

Hon. Mr. O'Neil: In the 1987-88 estimates, cabinet allocated \$800,000 for an Ontario Place review. This was shown as a separate line item and was a one-time allocation for long-range planning purposes. Ontario Place commissioned a study to explore future directions for the park and to identify possible development options. Laventhol and Horwath was selected to conduct this study, which cost \$75,000. Of the allocation, \$300,000 was reserved for follow-up detailed studies and plan implementation. Since the remaining \$425,000 was not required for

future review purposes, Ontario Place requested and received approval from Management Board to apply the \$425,000 towards its 1987-88 operating deficit.

MEDICAL LABORATORIES

338. Mr. Reville: Would the Minister of Health provide details on volume of tests performed by the 10 largest (by volume of service) private laboratory companies and OHIP payments to each of the 10 companies and the corresponding percentages for each company of total volume of tests and total OHIP payments and the numbers of laboratories and specimen collection centres owned by each company? [Tabled June 20, 1988]

Hon. Mrs. Caplan: Our response is as per attached.

The top 10 commercial laboratory corporations ranked in descending order by magnitude of service volume Ontario 1986-87

Rank	No. Corps.	No. Labs	%	No. SCCs*	%	Volume services	%	Payments \$	%
1		49	27.53	58	23.29	14,434,678	27.52	80,555,403.22	29.35
2		13	7.30	29	11.65	4,134,268	7.88	20,231,048.84	7.37
3		1	0.56	14	5.62	3,190,055	6.08	14,475,553.36	5.27
4		4	2.25	15	6.02	3,035,575	5.79	21,794,057.38	7.94
5		8	4.49	22	8.84	2,677,415	5.10	13,653,324.44	4.97
6		6	3.37	8	3.21	1,853,826	3.53	9,214,127.94	3.36
7		8	4.49	13	5.22	1,808,621	3.45	9,303,145.89	3.39
8		3	1.69	15	6.02	1,770,879	3.38	10,034,807.06	3.66
9		3	1.69	16	6.43	1,662,406	3.17	7,653,828.22	2.79
10		6	3.37	10	4.02	1,516,861	2.89	7,299,638.59	2.66
Subtotal	10	101	56.74	200	80.32	36,084,584	68.78	194,214,934.94	70.76
Grand total									
All com. labs	67	178	100.00	249	100.00	52,461,086	100.00	274,476,486.65	100.00

*Specimen collection centres

TEACHING HOSPITALS

339. Mr. Reville: Would the Minister of Health provide the numbers of non-Ontario residents who have received medical care in teaching hospitals for each of the last three years? [Tabled June 20, 1988]

Hon. Mrs. Caplan: The number of non-Ontario residents, inpatients who have received medical care in teaching hospitals for each of the last three years are as follows: 1986-87, 13,207; 1985-86, 13,734, and 1984-85, 13,623.

The information on the number of non-Ontario residents, outpatients who have received medical care in teaching hospitals is not readily available; the above is for non-Ontario residents inpatients only.

DR. MARTIN BARKIN

340. Mr. Reville: Would the Minister of Health provide details of direct or indirect interests that Dr. Martin Barkin may have in commercial health enterprises? [Tabled June 20, 1988]

Hon. Mrs. Caplan: Dr. Martin Barkin does not have any direct or indirect interests in commercial health enterprises.

RESPONSES TO PETITIONS

NATUROPATHY

Sessional paper P-1, re naturopathy.

Hon. Mrs. Caplan: Under the new legislation which is being developed to govern the health professions, naturopaths will be allowed to provide care to the people of Ontario as unregulated practitioners. As is now the case, naturopaths will not be able to use certain modalities of treatment such as surgery or prescribing drugs licensed to other practitioners.

In the future, naturopaths will have opportunities to have their regulatory position re-evaluated to determine if they meet the criteria. They continue to make submissions to the health professions legislation review. The review is currently evaluating these new submissions.

RETAIL STORE HOURS

Sessional paper P-7, re Sunday shopping.

Hon. Mrs. Smith: The government has concluded that municipalities should have the option to decide retail hours on Sundays and other holidays and has introduced legislation to accomplish this.

The new law contains standard store closing rules for all of Ontario. These standard rules will

remain in place unless a municipality decides for its own reasons to alter the law to reflect its own values or needs. It may do this by permitting stores to open or requiring them to close on Sundays and holidays. Municipalities are entitled to make this choice for themselves.

Under amendments to the Employment Standards Act, all retail workers will be able to refuse Sunday work which is, in their view, unreasonable, and the legislation will protect workers against reprisals. Employers and employees will be encouraged to work out co-operative arrangements for Sundays. If no settlement is reached through mediation, the matter will be referred to an independent referee.

The current law has been found to be unenforceable and has been abused by some retailers. The proposed amendments provide a workable, fair and flexible solution to the issue of Sunday and holiday shopping.

PENSIONS DE RETRAITE

Document parlementaire P-22, plan de pension des enseignants.

L'Hon. M. Ward: L'octroi rétroactif de pensions basées sur les « cinq années les mieux rémunérées » aux personnes déjà à la retraite est un sujet sur lequel le gouvernement et la Fédération des enseignantes et des enseignants de l'Ontario se sont longuement penchés à l'occasion de révision biennale de 1985. Par la suite, le trésorier a demandé l'avis du Conseil consultatif sur les pensions du secteur public. Ce dernier a examiné le bien-fondé de la question, la possibilité d'y donner suite et son caractère rétroactif, pour ensuite se prononcer contre la proposition. Le conseil a souligné que c'est une pratique courante et acceptée, dans les secteurs public et privé, de modifier la formule utilisée pour le calcul des prestations de pension, mais dans le cas des cotisants actifs d'un régime qui n'ont pas encore pris leur retraite.

Un nouveau calcul des pensions des personnes déjà à la retraite en fonction des cinq années les mieux rémunérées aurait des répercussions considérables sur la caisse de retraite des enseignants. De plus, il serait injuste d'obliger les cotisants actuels à assumer la responsabilité financière d'une hausse de prestations de retraite déjà versées.

D'après les études menées sur le sujet, la mesure susmentionnée procurerait peu d'avantages aux personnes qui ont pris leur retraite avant 1982 et qui éprouvent les plus grands besoins. Les enseignants qui se sont retirés avant 1975 ne bénéficieraient que d'une augmentation

de 1 à 4 pourcent. Cependant, ceux qui ont pris leur retraite après 1975 et qui ont profité de meilleures conditions salariales recevraient une augmentation d'environ 10 pourcent. Par conséquent, l'écart entre les niveaux de revenu des enseignants qui ont pris leur retraite il y a longtemps et de ceux qui ne l'ont fait que récemment ne ferait que s'accroître. Une telle situation serait injuste.

Après avoir pris connaissance de cette recherche et examiné les conseils qui lui ont été fournis, le gouvernement a décidé que le moyen le plus efficace d'utiliser ses ressources limitées et résoudre le problème des pensions trop faibles, serait de relever les pensions des personnes qui ont pris leur retraite avant 1976. Une hausse spéciale a ainsi été apportée en 1987. Elle a permis d'accroître considérablement le revenu des enseignants qui ont pris leur retraite avant 1966 et en 1975, soit de 20 et de quatre pourcent respectivement.

TEACHERS' SUPERANNUATION FUND

Sessional paper P-22, re Teacher's Superannuation Act.

Hon. Mr. Ward: The issue of providing a pension based on a "best five" years' service retroactively to those who have already retired was considered in detail by the government and the Ontario Teachers' Federation in the 1985 biennial review. Subsequently, the Treasurer requested the advice of the Public Sector Pensions Advisory Board on this issue. The board reviewed the matter from the perspectives of adequacy, affordability and retroactivity and recommended against it. The board stressed that changing a pension benefit formula for active but not retired plan members is a common and accepted practice in both public and private sectors.

A "best five" recalculation would have considerable cost implications for the teachers' pension funds and it would be unfair to ask current contributors to assume the financial responsibility for increasing pension benefits already in pay.

Studies also showed that a "best five" recalculation would be of little benefit for those pre-1982 retirees with the greatest need. Teachers

who retired before 1975 would receive increases of only one to four per cent. However, those who retired after 1975 and have already benefited from the improved salary conditions would receive increases of approximately 10 per cent. Thus, the recalculation would widen the gap between the income levels of long-term and recent retirees. This is just not fair.

After receiving this research and advice, the government decided that the most effective use of limited government resources would be to address the issue of low pensions with an ad hoc increase for those who retired prior to 1976. This increase was implemented in 1987. It has provided substantial increases ranging from over 20 per cent for teachers who retired before 1966 to four per cent for those retiring in 1975.

SEXUAL ASSAULT

Sessional paper P-23, re incestuous sexual assaults.

Hon. Mr. Scott: Amendments to the Limitations Act have been under consideration in my ministry. I have asked counsel in my policy development division to give consideration to the special difficulties encountered by incest victims.

MUNICIPAL ZONING BYLAWS

Sessional paper P-25, re discrimination against unrelated students who live together.

Hon. Mr. Eakins: This government is deeply committed to solving the problems that are caused by exclusionary bylaws. In fact, work is currently under way to develop legislation that would address the concerns generated by the exclusionary bylaws which differentiate between related and unrelated persons while at the same time enabling municipalities to be able to plan for balanced neighbourhoods. As part of this work, staff of my ministry together with staff of the Ministry of Housing have conducted numerous meetings with municipalities around the province and with various interest groups, including student groups, to obtain a thorough understanding of the impact of such legislation. All efforts are being made to arrive at the best solution possible as quickly as possible.

ALPHABETICAL LIST OF MEMBERS*

(130 seats)

First Session, 34th Parliament

Lieutenant Governor: Hon. Lincoln M. Alexander, PC, QC

-
- Adams, Peter (Peterborough L)
 Allen, Richard (Hamilton West NDP)
 Ballinger, William G. (Durham-York L)
 Beer, Charles (York North L)
 Black, Kenneth H. (Muskoka-Georgian Bay L)
 Bossy, Maurice L. (Chatham-Kent L)
Bradley, Hon. James J., Minister of the Environment (St. Catharines L)
 Brandt, Andrew S. (Sarnia PC)
 Breaugh, Michael J. (Oshawa NDP)
 Brown, Michael A. (Algoma-Manitoulin L)
 Bryden, Marion (Beaches-Woodbine NDP)
 Callahan, Robert V. (Brampton South L)
 Campbell, Sterling (Sudbury L)
Caplan, Hon. Elinor, Minister of Health (Oriole L)
 Carrothers, Douglas A. (Oakville South L)
 Charlton, Brian A. (Hamilton Mountain NDP)
 Chiarelli, Robert (Ottawa West L)
 Cleary, John C. (Cornwall L)
 Collins, Shirley (Wentworth East L)
Conway, Hon. Sean G., Minister of Mines (Renfrew North L)
 Cooke, David R. (Kitchener L)
 Cooke, David S. (Windsor-Riverside NDP)
 Cordiano, Joseph (Lawrence L)
 Cousens, W. Donald (Markham PC)
 Cunningham, Dianne E. (London North PC)
 Cureatz, Sam L. (Durham East PC)
Curling, Hon. Alvin, Minister of Skills Development (Scarborough North L)
 Daigeler, Hans (Nepean L)
 Dietsch, Michael M. (St. Catharines-Brock L)
Eakins, Hon. John F., Minister of Municipal Affairs (Victoria-Haliburton L)
Edighoffer, Hon. Hugh A., Speaker (Perth L)
 Elliot, R. Walter (Halton North L)
Elston, Hon. Murray J., Chairman of the Management Board of Cabinet (Bruce L)
 Epp, Herbert A. (Waterloo North L)
 Eves, Ernie L. (Parry Sound PC)
 Farnan, Michael (Cambridge NDP)
 Faubert, Frank (Scarborough-Ellesmere L)
 Fawcett, Joan M. (Northumberland L)
 Ferraro, Rick E. (Guelph L)
 Fleet, David (High Park-Swansea L)
Fontaine, Hon. René, Minister of Northern Development (Cochrane North L)
Fulton, Hon. Ed, Minister of Transportation (Scarborough East L)
 Furlong, Allan W. (Durham Centre L)
Grandmaitre, Hon. Bernard C., Minister of Revenue (Ottawa East L)
 Grier, Ruth A. (Etobicoke-Lakeshore NDP)
 Haggerty, Ray (Niagara South L)
 Hampton, Howard (Rainy River NDP)
 Harris, Michael D. (Nipissing PC)
 Hart, Christine E. (York East L)
 Henderson, D. James (Etobicoke-Humber L)
Hošek, Hon. Chaviva, Minister of Housing (Oakwood L)
 Jackson, Cameron (Burlington South PC)
 Johnson, Jack (Wellington PC)
 Johnston, Richard F. (Scarborough West NDP)
 Kanter, Ron (St. Andrew-St. Patrick L)
Kerrio, Hon. Vincent G., Minister of Natural Resources (Niagara Falls L)
 Keyes, Kenneth A. (Kingston and The Islands L)
 Kozyra, Taras B. (Port Arthur L)
Kwinter, Hon. Monte, Minister of Industry, Trade and Technology (Wilson Heights L)
 Laughren, Floyd (Nickel Belt NDP)
 LeBourdais, Linda (Etobicoke West L)
 Leone, Laureano (Downsview L)
 Lipsett, Ron (Grey L)
 Lupusella, Tony (Dovercourt L)
 MacDonald, Keith (Prince Edward-Lennox L)
 Mackenzie, Bob (Hamilton East NDP)
 Mahoney, Steven W. (Mississauga West L)
Mancini, Hon. Remo, Minister without Portfolio (Essex South L)
 Marland, Margaret (Mississauga South PC)
 Martel, Shelley (Sudbury East NDP)
 Matrundola, Gino (Willowdale L)
 McCague, George R. (Simcoe West PC)
 McClelland, Carman (Brampton North L)
 McGuigan, James F. (Essex-Kent L)
 McGuinty, Dalton J. (Ottawa South L)
 McLean, Allan K. (Simcoe East PC)
McLeod, Hon. Lyn, Minister of Colleges and Universities (Fort William L)
 Miclash, Frank (Kenora L)
 Miller, Gordon I. (Norfolk L)

Morin, Gilles E. (Carleton East L)
 Morin-Strom, Karl E. (Sault Ste. Marie NDP)
 Neumann, David E. (Brantford L)
 Nicholas, Cindy (Scarborough Centre L)
 Nixon, J. Bradford (York Mills L)
Nixon, Hon. Robert F., Deputy Premier,
 Treasurer of Ontario and Minister of Economics
 and Minister of Financial Institutions
 (Brant-Haldimand L)
Oddie Munro, Hon. Lily, Minister of Culture
 and Communications (Hamilton Centre L)
 Offer, Steven (Mississauga North L)
O'Neil, Hon. Hugh P., Minister of Tourism and
 Recreation (Quinte L)
 O'Neill, Yvonne (Ottawa-Rideau L)
 Owen, Bruce (Simcoe Centre L)
Patten, Hon. Richard, Minister of Government
 Services (Ottawa Centre L)
 Pelissero, Harry E. (Lincoln L)
Peterson, Hon. David R., Premier and President
 of the Council and Minister of Inter-
 governmental Affairs (London Centre L)
 Philip, Ed (Etobicoke-Rexdale NDP)
Phillips, Hon. Gerry, Minister of Citizenship
 (Scarborough-Agincourt L)
 Poirier, Jean, Deputy Speaker and Chairman of
 the Committees of the Whole House (Prescott
 and Russell L)
 Pollock, Jim (Hastings-Peterborough PC)
 Polsinelli, Claudio (Yorkview L)
 Poole, Dianne (Eglinton L)
 Pope, Alan W. (Cochrane South PC)
 Pouliot, Gilles (Lake Nipigon NDP)
 Rae, Bob (York South NDP)
Ramsay, Hon. David, Minister of Correctional
 Services (Timiskaming L)
 Ray, Michael C. (Windsor-Walkerville L)
 Reville, David (Riverdale NDP)
 Reycraft, Douglas R. (Middlesex L)
Riddell, Hon. Jack, Minister of Agriculture and
 Food (Huron L)

Roberts, Marietta L. D., Deputy Chairman of the
 Committees of the Whole House (Elgin L)
 Runciman, Robert W. (Leeds-Grenville PC)
 Ruprecht, Tony (Parkdale L)
Scott, Hon. Ian G., Attorney General
 (St. George-St. David L)
 Smith, David W. (Lambton L)
Smith, Hon. E. Joan, Solicitor General
 (London South L)
 Sola, John (Mississauga East L)
Sorbara, Hon. Gregory S., Minister of Labour
 (York Centre L)
 South, Larry (Frontenac-Addington L)
 Sterling, Norman W. (Carleton PC)
 Stoner, Norah (Durham West L)
 Sullivan, Barbara (Halton Centre L)
Sweeney, Hon. John, Minister of Community
 and Social Services (Kitchener-Wilmot L)
 Tatham, Charlie (Oxford L)
 Velshi, Murad (Don Mills L)
 Villeneuve, Noble (Stormont, Dundas and Glen-
 garry PC)
Ward, Hon. Christopher C., Minister of
 Education (Wentworth North L)
 Wildman, Bud (Algoma NDP)
Wilson, Hon. Mavis, Minister without Portfolio
 (Dufferin-Peel L)
 Wiseman, Douglas J. (Lanark-Renfrew PC)
Wong, Hon. Robert C., Minister of Energy
 (Fort York L)
Wrye, Hon. William, Minister of Consumer and
 Commercial Relations (Windsor-Sandwich L)
 Vacancy: Welland-Thorold

*The alphabetical list of members appears in each issue. Lists of the members of the executive council, parliamentary assistants and members of committees, brought up to date as necessary, are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

CONTENTS

Monday, October 24, 1988

Members' statements

Heritage languages , Mr. R. F. Johnston	5115
Joey Phillion , Mr. McLean	5115
Multicultural publication , Mr. Furlong	5115
Chemical plant , Mr. Hampton	5116
Rouge Valley , Mrs. Marland	5116
Toronto area transportation , Mr. Adams	5116
Hap Emms , Mr. McLean	5117

Statements by the ministry

Heritage languages , Hon. Mr. Ward	5117
United Nations Day , Hon. Mr. Phillips	5117
Floodplain management , Hon. Mr. Kerrio	5118
Drug abuse , Hon. Mrs. Caplan	5118

Responses

Drug abuse , Mr. Reville	5119
Floodplain management , Mr. Wildman	5119
Heritage languages , Mr. R. F. Johnston, Mr. Jackson	5120
Drug abuse , Mr. Brandt	5121
Floodplain management , Mr. McLean	5121

Oral questions/Questions orales

Child care , Mr. B. Rae, Hon. Mr. Sweeney	5121
Comfort allowances , Mr. B. Rae, Hon. Mr. Sweeney	5123
Waste management , Mr. Brandt, Hon. Mr. Eakins	5124
Metropolitan Toronto Housing Authority , Mr. Harris, Hon. Ms. Hošek	5125
Rental housing protection , Mr. Breagh, Hon. Ms. Hošek	5126
Financial Trust , Mr. Runciman, Hon. Mr. Elston	5126
Vehicle tax refunds , Mr. Mahoney, Hon. Mr. Grandmaître	5127
Wine industry , Mr. Wildman, Hon. Mr. Riddell	5127
Élection de conseillers scolaires , M. Villeneuve, l'hon. M. Grandmaître	5128
Woodlots , Mr. Tatham, Hon. Mr. Kerrio	5129
Environmental assessment , Mr. Pouliot, Hon. Mr. Wong	5129
David Atkinson , Mr. Sterling, Hon. Mr. Scott	5130
Home care , Mr. Allen, Hon. Mr. Sweeney	5130
Child care , Mrs. Cunningham, Hon. Mr. Sweeney	5131
Colleges of applied arts and technolo , Mr. Callahan, Hon. Mrs. McLeod	5132

Petitions

Retail store hours , Mr. Miller, tabled	5132
School opening exercises , Mr. J. M. Johnson, tabled	5132
Minimum wage , Mr. Morin-Strom, tabled	5132
School opening exercises , Mr. Tatham, tabled	5133
Retail store hours , Mr. Mackenzie, Mr. Epp, tabled	5133

Motion

Deputy chairman , Hon. Mr. Conway, Mr. D. S. Cooke, agreed to	5133
--	------

First reading

Ontario Housing Corporation Amendment Act , Bill 182, Mr. Harris, agreed to	5134
--	------

Government motions/Motions émanant du gouvernement

Estimates , resolution 16, Hon. Mr. Conway, Mr. Harris, Mr. D. S. Cooke, agreed to	5134
Committee membership , resolution 17, Hon. Mr. Conway, agreed to	5137
Interim supply , resolution 15, Hon. R. F. Nixon, Mr. Wildman, Ms. Hart, Mr. Pouliot, Mr. Villeneuve, adjourned.	5138
Crédits provisoires , résolution 15, l'hon. R. F. Nixon, M. Wildman, Mme Hart, M. Pouliot, M. Villeneuve, ajournement du débat.	5138

Answers to questions in Orders and Notices

Legal work , question 31, Mr. Cousens, Hon. Mr. Scott	5149
Government employees , questions 67 and 68, Mr. Harris, the Ministry	5150
Government land , question 97, Mr. Breaugh, Hon. Mr. Patten	5150
Religious education , questions 266 to 271, Mr. Jackson, Hon. Mr. Ward	5152
Ministry publication , question 276, Mr. Runciman, Hon. Mr. Riddell	5153
Cabinet employees , question 277, Mr. Mackenzie, Hon. Mr. Elston	5153
Status of land , question 325, Mrs. Grier, Hon. Mr. Kerrio	5153
Children's mental health services , questions 328 and 329, Mr. Allen, Hon. Mr. Sweeney	5153
Rent regulation , question 330, Mr. Jackson, Hon. Ms. Hošek	5154
Wintario draws , question 331, Mr. McLean, Hon. Mr. O'Neil	5154
Ontario Place , questions 332 to 335, Mr. McLean, Hon. Mr. O'Neil	5154
Medical laboratories , question 338, Mr. Reville, Hon. Mrs. Caplan	5155
Teaching hospitals , question 339, Mr. Reville, Hon. Mrs. Caplan	5156
Dr. Martin Barkin , question 340, Mr. Reville, Hon. Mrs. Caplan	5156

Responses to petitions/Réponses à des pétition

Naturopathy , sessional paper P-1, Hon. Mrs. Caplan	5156
Retail store hours , sessional paper P-7, Hon. Mrs. Smith	5156
Pensions de retraite , document parlementaire P-22, l'hon. Mr. Ward	5156
Teachers' superannuation fund , sessional paper P-22, Hon. Mr. Ward	5157
Sexual assault , sessional paper P-23, Hon. Mr. Scott	5157
Municipal zoning bylaws , sessional paper P-25, Hon. Mr. Eakins	5157

Other business

Visitors , Mr. Speaker	5115
Visitor , Hon. Mr. Conway	5121
Birth of member's child , Hon. Mr. Conway	5121
Deputy chairman , Mr. Speaker	5132
Adjournment	5148
Alphabetical list of members	5158

NOV 0 8 1989

